

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 21ST DAY OF JANUARY 2020 / 1ST MAGHA, 1941

WP (C) .No.867 OF 2020 (G)

PETITIONER:

PHILOMINA JOSEPH
AGED 76 YEARS
W/O. LATE C.T.JOSEPH, CHERIYAPARAMBIL HOUSE,
R.C.ROAD, KARUVELIPADI, KOCHI-682 005.

BY ADVS.
SRI.K.R.VINOD
SMT.M.S.LETHA
KUM.K.S.SREEREKHA
SRI.NABIL KHADER
SMT.V.KRISHNA BINDU

RESPONDENT:

THE SUB REGISTRAR
KOCHI, KAPPALANDIMUKKU,
MATTANCHERY, KOCHI-682 002.

SR.GP. SRI S GOPINATHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21.01.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

1. The petitioner approached this Court aggrieved by an action on the part of the respondent, refusing to register a Sale Deed presented by petitioner for the reason that, the petitioner had not produced the original of the Gift Deed by which the petitioner trace out the title. The respondent can doubt only the competency of the petitioner for registration of the deed. The petitioner cannot be insisted to produce the original of Gift Deed. Once it is satisfied that the petitioner is competent to register the deed, necessarily, the Sub Registrar is bound to register such document.

2. In view of the fact that the only reason for refusal was on account of the fact that the petitioner had not produced the original of the Gift Deed, the respondent is directed to register the document in accordance with law.

The writ petition is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 **THE COPY OF THE GIFT DEED NO.801/1977
OF SRO KOCHI, EXECUTED IN FAVOUR OF THE
PETITIONER.**

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

PA TO JUDGE