

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10886 of 2015

M. Arasar Ali

.. Petitioner

Versus

1. The Inspector General of Registration
No.100, Santhome High Road,
Chennai - 28.

2. The Deputy Inspector General of Registration,
Nanjundapuram Road,
Ramanathapuram,
Coimbatore - 641 045.

3. The District Registrar,
State Bank of India Road,
Coimbatore - 641 018.

4. The Sub-Registrar,
Peelamedu Sub Registrar Office,
Meena Estate, Coimbatore.

5. Mrs.Rajeswari,
Sub-Registrar,
Peelamedu Sub Registrar Office,
Meena Estate, Coimbatore.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents and more particularly the 4th respondent to register the proposed sale of the petitioner's property and consequently permitting the petitioner to present a duly executed sale deed for Registration.

For Petitioner : Mr.T.Sundaranathan

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that he purchased a vacant residential land admeasuring to an extent of 2 cents and 120 sq.ft., in Plot No.16, in L.M.L.Colony, comprised in Town Survey No.10/1068/1C2, Krishnarayapuram Village, Coimbatore Taluk & District, by means of a registered Sale Deed dated 25.04.2012, registered as Document No.1628 of 2012. Petitioner has also mutated the revenue records in his name. The petitioner would further state that he subsequently made a draft sale deed and presented the same to the 4th respondent/5th respondent for verifying the correctness and he was informed that the sale deed would not be registered as there was a proposal for laying a road by the Planning Authorities, across the subject land.

3. The grievance expressed by the petitioner is that as per the information dated 19.03.2015, obtained under the provisions of the Right to Information Act, 2005, from the Public Information Officer, attached to the office of the 4th respondent, no road is sought to be laid in the subject land and the Road proposal was given for the lands in Survey No.1068/1C3 only and inspite of the said fact, the sale deed is not registered and therefore, his request for registration was left unattended and hence, came forward to file this writ petition.

4. Heard the submissions of Mr.T.Sundaranathan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice for the respondents 1 to 4.

5. Though, the petitioner has prayed for a larger relief, in the facts and circumstances of this case, this Court is of the view that it would suffice to direct the 4th respondent to consider and dispose of the representation dated 17.02.2015, submitted by the petitioner, taking into consideration the information given by the Public Information Officer of the 4th respondent dated 19.03.2015, on merits and in accordance with law, within a stipulated time frame.

6. In the result, this Court, without going into the merits of the said representation, directs the 4th respondent to consider and dispose of the representation dated 17.02.2015, submitted by the petitioner, after taking into consideration the information furnished by the Public Information Officer, attached to the said office dated 19.03.2015, on merits and in accordance with law, as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

7. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars

To

1. The Inspector General of Registration
No.100, Santhome High Road,
Chennai - 28.

2. The Deputy Inspector General of Registration,
Nanjundapuram Road,
Ramanathapuram,
Coimbatore - 641 045.

3. The District Registrar,
State Bank of India Road,
Coimbatore - 641 018.

4. The Sub-Registrar,
Peelamedu Sub Registrar Office,
Meena Estate, Coimbatore.

1 cc to Mr.T.Sundaranathan, Advocate, SR.No.20790

1 cc to Government Pleader, Sr.No21128

W.P.No.10886 of 2015

sai(co)
pmk.29.4.2015

सत्यमेव जयते

WEB COPY