

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11389 of 2015
and
M.P.No.1 of 2015

K.Ponnurangam

... Petitioner

- Vs -

1. The Joint Sub-Registrar-II,
Chengalpattu, Kancheepuram District.
2. The Commissioner,
Maraimalai Nagar Municipality,
Kancheepuram District.

... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent to receive and register the settlement deed executed by the petitioner in favour of his daughter on receipt of the registration fees by Demand Draft for Rs.4,100/- dated 22.01.2015.

For Petitioner : Mr.G.Appavu

For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

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

2. The petitioner claims that he has purchased Plot No.950, measuring 2400 sq.ft. in Gokulpuram in Sengundrum Village, Chengalpattu Taluk under registered Sale deed dated 24.01.1986 and claims to have taken delivery of the same and also put up terraced house and got electricity service connection and paid the electricity consumption charges. The grievance expressed by the petitioner is that his vendor M/s.Swami Construction had fraudulently executed a second sale deed in respect of the very same plot on 01.02.2008 and

subsequently it was registered as Document No.811/2008 in favour of one T.Haripriya. Now, the petitioner has decided to settle his property in favour of his daughter, the petitioner has executed a settlement deed in favour of his daughter dated 23.01.2015 and he presented the same for registration to the first respondent. But the first respondent refused to receive and register the same for the reason that in their records Ms.T.Haripriya is shown as the owner. Hence, seeking a direction to the first respondent to receive and register the settlement deed executed by the petitioner in favour of his daughter, the petitioner has come up with this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader accepts notice for the respondents.

4. This Court without going into the merits of the contentions put forth by the learned counsel for the petitioner, directs the petitioner to submit a representation expressing his grievances to the first respondent within two weeks from the date of receipt of a copy of this order and the first respondent on receipt of such representation is directed to consider the same and pass orders in accordance with law, after putting on notice Ms.T.Haripriya, who claims ownership based on the Registered sale deed dated 01.02.2008, registered as Doc.No.811/2008 and pass orders as expeditiously as possible and not later than four weeks thereafter and communicate the decision taken to the petitioner as well as Ms.T.Haripriya. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Sub-Registrar-II,
Chengalpattu, Kancheepuram District.
2. The Commissioner,
Maraimalai Nagar Municipality,
Kancheepuram District.

+1cc to Mr.G.Appavu, Advocate, S.R.No.21400

+2cc's to the Government Pleader, S.R.No.21521 & 21507

W.P.No.11389 of 2015
and M.P.No.1 of 2015

KM(CO)
CA(15/05/2015)



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