

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19137 of 2015

N.Devendran

.. Petitioner

- Vs -

The Sub Registrar,
Neelankarai,
Chennai - 600 041.

.. Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to return to the petitioner the Original Sale Deed dated 23.04.2001 (registered as Document No.4659/2007, dated 22.08.2007).

Petitioner : Mr.K.Govindaraj

For Respondent : Mr.M.Digvijaya Pandian
Additional 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 760 sq.ft. vacant plot of land in Survey No.168/2 in Thoraipakkam Village, Tambaram Taluk, Kanchipuram District through sale deed dated 23.04.2001 and submitted for registration at the office of the Sub Registrar, Neelankarai. The petitioner states that the respondent informed that the sale deed has been held as per G.O.Ms.No.150, Commercial Taxes Department, dated 22.09.2000 and Circular No.2708/E/95, dated 22.09.2002. The petitioner was subsequently called upon to submit 'No Objection Certificate' for unapproved house plots and it was also complied with and thereafter, the sale deed was registered as Document No.4659 of 2007 dated 22.08.2007 by the Sub Registrar, Neelankarai. The grievance expressed by the petitioner is that in spite of registration of the document, the registered sale deed has not been given to him. In this regard, he submitted a representation dated 30.01.2013 and since he has not been favoured with any kind of response, he filed the present writ petition.

3. Heard the submissions of Mr.K.Govindaraj, learned counsel appearing for the petitioner and Mr.M.Digvijaya Pandian learned Additional Government Pleader accepts notice for the respondent.

4. This Court in the judgment reported in 2008 (3) L.W. 286 (Tata Coffee Limited Vs. The State of Tamil Nadu) has given guidelines as to the return of registered documents.

5. This Court in the light of the above facts and circumstances, without going into the merits of the case projected by the petitioner, permits the petitioner to submit one more representation to the respondent within two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent is directed to consider the said representation in the light of the above said judgment and pass orders within a period of four weeks thereafter and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Deputy Registrar

True Copy

Sub Assistant Registrar

To

The Sub Registrar,
Neelankarai,
Chennai - 600 041.

+1 cc to Mr.K.Govindaraj, Advocate, SR.32648

+1 cc to Government Pleader, SR.32953.

Ad(co)
krd 15/7

सत्यमेव जयते

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