

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21938/2015 & MP.No.1/2015

V.Meenatchi

... Petitioner

Versus

1.The District Registrar
Union Territory of Puducherry
O/o.The District Registrar
New Saram, Puducherry.

2.The Sub Registrar
O/o.The Sub Registrar
New Saram, Puducherry.

3.N.Krishnaraj

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to consider and dispose of the appeal dated 08.07.2015 preferred by the petitioner under 72 of the Registration Act, 1908 and thereby direct the 1st respondent to set aside the impugned Communication Letters vide Nos.441/RD/SR-1/2015-16 and 442/RS/SR-1/2015-16 dated 07.07.2015, passed by 2nd respondent and consequently direct the 1st and 2nd respondent to assign the Registration Numbers for the Sale Deeds [two numbers] dated 22.05.2015 executed by the 3rd respondent in favour of the petitioner which were presented for registration before the 2nd respondent office, namely, the Sub Registrar, Puducherry, on 28.05.2015 and return the same without assigning any registration numbers after following the entire mandatory registration process contemplated under the Registration Act, 1908.

For Petitioner : Mr.Prakash Adiyapadam

For RR 1 & 2 : Mr.R.Sreedhar, GA [Puducherry]

O R D E R

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

2. The petitioner claims to be the owner of Plot Nos.15 and 16. By virtue of two Sale Deeds dated 22.05.2015, the petitioner has moved the concerned Registration authorities for registration of the Sale Deeds and the 2nd respondent, after collecting necessary fees and complying with the formalities, informed the petitioner that the petitioner can come and collect the documents within a

week. The petitioner went to the office of the 2nd respondent and requested them to return back the registered Sale Deeds. He was orally informed that since some objections have been received, the Sale Deeds have not been registered. The petitioner further states that all of a sudden, the 2nd respondent has sent a communication dated 07.07.2015 stating that some objections have been received from some other persons regarding the title to the property and therefore, called upon the petitioner to come and collect the unregistered documents. Aggrieved by the said order, the petitioner preferred an appeal under section 72 of the Registration Act, 1908, before the 1st respondent and since it has not been given disposal, the petitioner came forward to file this writ petition.

3. Heard the submissions made by the learned counsel for the petitioner and Mr.R.Sreedhar, learned Government Advocate [Puducherry] who accepts notice on behalf of the respondents 1 and 2.

4. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's appeal dated 08.07.2015 in accordance with law, after putting on notice the 3rd respondent and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the 3rd respondent herein.

5. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

AP
To

1.The District Registrar
Union Territory of Puducherry
O/o.The District Registrar
New Saram, Puducherry.

2.The Sub Registrar
O/o.The Sub Registrar
New Saram, Puducherry.

1 cc to Mr.Prakash Adiyapadam , Advocate Sr.No.37523
1 cc to Government Pleader (Pondy) .Sr.No.37500

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