

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.35271 of 2015
and
M.P.No.1 of 2015

1. Dr.P.Premalatha

2. K.Srinivasan

... PETITIONERS

Vs.

1. The District Revenue Officer(Stamps)
Office of the District Collecotr,
Singaravelar Maligai,
5th Floor, 32, Rajaji Salai,
Chennai 600 001

2. The Sub Registrar,
T.Nagar Sub Registrar Office,
No.9, Jeenis Road, Saidapet,
Chennai 600 015

... RESPONDENTS

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents to return the Original Sale Deed dated 03/08/2015 registered as Document No.1964/2015 on the file of 2nd Respondent viz. Sub-Registrar, T.Nagar by making necessary endorsement that proceedings under Section 47A are pending and creating necessary charge in respect of the said proceedings to the Petitioners herein.

For Petitioners : Mr.AR.Ramanathan

For Respondents : Mr.P.Sanjaygandhi,
Additional Government Pleader

O R D E R

Pending enquiry under Section 47 A of the Stamp Act, the petitioners have come before this Court, seeking return of the sale deed dated 03.08.2015 registered as Document No.1964 of 2015 on the file of the second respondent.

2. As rightly submitted by the learned Counsel for the petitioners, initiation and pendency of the proceedings under Section 47 A of the Act cannot be construed as a bar for registration and furnishing the same to the parties concerned. It is a consistent view taken by this Court as confirmed by the Hon'ble Division Bench. Thus, the respondents are directed to release the document of the petitioner, registered in Document No.1964 of 2015, within a period of four weeks from the date of receipt of a copy of this order, subject to the condition that can be imposed including an endorsement that the document is released subject to the proceedings under Section 47 A of the Act. Taking note of the pendency of the proceedings under Section 47 A of the Act, the first respondent is directed to conclude the same within a period of eight weeks, thereafter.

The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

srn

To

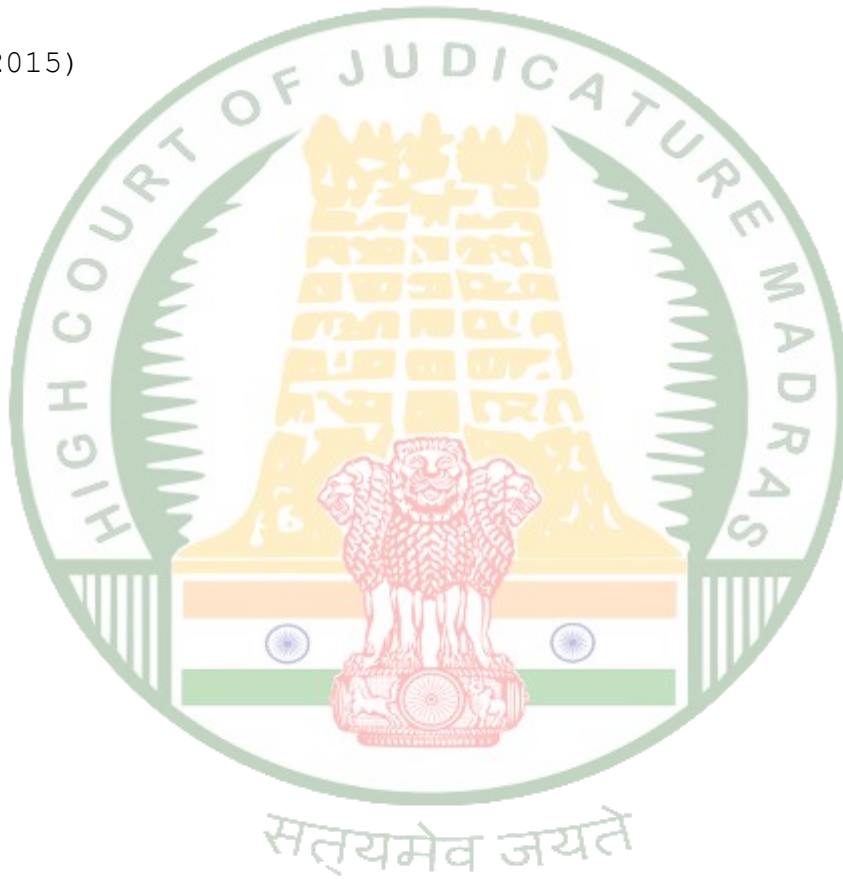
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+2cc's to Mr.AR.Ramanathan, Advocate, S.R.No.62822
+1cc to the Government Pleader, S.R.No.62910

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CA(CO)
CA(26/11/2015)



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