

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.A.No.1269 of 2009 and
M.P.No.1 of 2009

Abdoul Karime ... Appellant/Third Party

Vs.

1.Check Maidine

2.The Sub Registrar,
Registration Department,
Saram,
Puducherry.

3.The District Registrar,
Registration Department,
Saram,
Puducherry.

4.The Government of Puducherry,
rep. by the Secretary,
Registration Department,
Chief Secretariat,
Puducherry. .. Respondents

Writ Appeal filed under Clause 15 of Letters Patent against
the order dated 27.08.2008 in W.P.No.20936 of 2008 on the file
of this Court.

WP No.20936/2008: It is prayed that this Hon'ble Court may be
pleased to issue a writ order or direction or any other writ in
the nature of writ of mandamus directing the 3rd respondent to
registry the agreement of sale deed 16.06.2008 executed by the
Petitioner in favour of Gunasekar which was submitted by the
petitioner to the 3rd respondent on 16.06.2008 and pass such

further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Appellant .. Mr.V.Perumal

For Respondents .. Mr.Lakshminarayanan
for
Mr.V.Raghavachary for R1
Mr.M.Govindaraj
Govt. Pleader (Pondy) for R2 to R4

JUDGMENT

(Judgment of the Court was made by The Hon'ble Chief Justice)

The first respondent before us as the petitioner filed W.P.No.20936 of 2008 alleging that the Sub Registrar, Saram, Pondicherry was refusing to register the sale deed orally without giving him the copy of the reasons recorded for the same. In view of this allegation, the learned Single Judge passed an order on 27.08.2008 that if the document is in order, it should be registered, otherwise the reasons for non-registration should be communicated.

2. The appellant before us is third party and claims title to the property.

3. It is pointed out to us that post impugned order, on 18.09.2008 a reasoned order for rejection of registration has been passed by respondent No.2. Thus, the impugned order stands complied with. The grievance of the appellant also does not really arise, as the document has not been registered. If there was a grievance with that order, the remedy of appeal before the District Registrar is provided for under Section 72 of the Registration Act, 1908 to be filed within 30 days from the date of receipt of the order as set out in paragraph 7 of that order.

4. If there are title disputes between the appellant and respondent No.1, they have to be settled in appropriate civil proceedings.

5. In view of all the aforesaid reasons, the appeal has become infructuous and is accordingly dismissed. No costs. Consequently, M.P.No.1 of 2009 is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Sub Registrar,
Registration Department,
Saram, Puducherry.
- 2.The District Registrar,
Registration Department,
Saram, Puducherry.
- 3.The Secretary,
Registration Department,
Chief Secretariat, Puducherry.

- 1 cc to M/s.V.Raghavachari, Advocate, sr.47267
1 cc to Mr.V.Perumal, Advocate, sr.47793
1 cc to Government Pleader, sr.47247

W.A.No.1269 of 2009

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