

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.17275 of 2016

Mr.Rajesh Chandan

.. Petitioner

Vs.

The Sub Registrar,
Ambattur, Chennai-600 053.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent herein to register the sale deed of the petitioner in accordance with the IGR Circular No.16345/C2/2013 dated 28.10.2013.

For Petitioner : M/s.Nithyaesh & Vaibhav

For Respondent : Mr.P.Sanjai Gandhi
Additional Government Pleader

O R D E R

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

2. The petitioner would state that he entered into a construction agreement on 03.03.2011 for construction of flats and at the relevant point of time, registration of the construction agreement was not mandatory. The petitioner would further state that after fulfillment of all the requirements under the construction agreement, he sought to have the sale deed, in respect of Undivided Share of Land (UDS), registered in his name and according to him, whatever payments due under the construction agreement, have been paid and when the said document has been presented for registration before the respondent, he neither registered it nor returned the same and in this regard, the petitioner has also sent a legal notice through e-mail dated 03.04.2016 to the respondent and inspite of receipt of the same, no response is forthcoming and hence, constrained to file this writ petition.

3. The learned counsel appearing for the petitioner has drawn the attention of this Court to the Circular No16345/C2/2013 dated 28.10.2013 issued by the Inspector General of Registration, Chennai-28, addressed to all Deputy Inspector Generals of Registration, all District Registrars and all Sub Registrars and would contend that in the light of the guidelines given in the said circular, there cannot be any impediment on the part of the

respondent to register the construction agreement and prays for appropriate orders.

4. Heard the submissions of Mr.P.Sanjai Gandhi, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

5. Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondent to follow the Circular No.16345/C2/2013 dated 28.10.2013 issued by the Inspector General of Registration, Chennai-600 008 and consider the request of the petitioner for registration of the construction agreement dated 03.03.2011 in accordance with law and pass orders within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

jvm

To

The Sub Registrar,
Ambattur, Chennai-600 053.

1 cc to M/s. Nithyaess Vaibhav, Advocate, Sr. 33577

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