

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P. No.20208 of 2013

and M.P.Nos.1 & 2 of 2013

I.Paul Asir

... Petitioner

Vs

The Sub Registrar Joint - I
South Chennai Sub-Registrar Office,
Saidapet,
Chennai 600 018.
.. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus or any other appropriate writ or order or direction in the nature of writ against the respondent to pass an order directing the respondent to register and release the sale deed document dated 01.03.2013 pending in document No.P 86/2013 on the file of the respondent to the petitioner.

For Petitioner : Mr.P.Vasanth

For Respondents : Mrs.M.E.Rani Selvam,
Additional Government Pleader

ORDER

The prayer in the writ petition is for a direction to the respondent to register and release the sale deed document dated 01.03.2013 pending as document No.P 86/2013 before the respondent.

2. According to the petitioner he had purchased 4/5th undivided share of land in total extent of 3080 sq.ft comprised in old survey no.577, T.S.No.60 Block No.4, 2nd Bungalow street, Ekkaduthangal, Chennai 600 032 on 01.03.2013. When the petitioner had presented the said document for registration on 01.03.2013, the respondent had kept it as a pending document and have not initiated any steps to release the same.

3. This Court, in similar circumstances, has held that when the respondent exercises his powers under Section 47A of the Indian Stamp Act, he cannot keep the document pending for ever, but register and release the sale deed by reserving his liberty to proceed for recovery of the deficit stamp duty, if any.

4. Under such circumstances, there shall be a similar direction to the respondent to register and release the pending petitioner's sale deed kept as pending document No:86/13 on his file, within a period of six weeks from the date of receipt of a copy of this order. With the above observation the writ petition is disposed of. No costs. Connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Sub Registrar Joint - I
South Chennai Sub-Registrar Office,
Saidapet, Chennai 600 018.

+1cc to Mr.P. Vasanth, Advocate, S.R.No.67635
+1cc to the Government Pleader, S.R.No.68103

gj (CO)
md(29/12/2016)

सत्यमेव जयते

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