

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2016

CORAM

THE HONOURABLE Mr.JUSTICE M.M. SUNDRESH

W.P.No.37557 of 2015

G.Devan  
S/o.Govindaraj,  
No.6/266, Periyar Street,  
Shivasankar Nagar,  
Pozhichalur Village,  
Chennai - 74

... Petitioner

- Vs -

1. The Inspector General of Registration,  
Santhome High Road,  
Santhome, Chennai

2. The Sub Registrar,  
Pammal,  
Chennai 600 75

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus, directing the second respondent to accept the Rectification Deed dated 13.11.2015 to rectify the typographical mistake Survey No.335/13 instead of Survey No.335/12 in sale deed dated 2.3.2015 bearing document No.1535/2015 on the file of the S.R.O., Pammal and register the same in accordance with law and to release the document to the petitioner.

For Petitioner : Mr.N.Suresh

For Respondents : Mrs.P.Rajalakshmi,  
Government Advocate

ORDER

The petitioner has come forward to file this Writ Petition seeking a Writ of Mandamus, directing the second respondent to receive the rectification deed dated 13.11.2015.

2. In the counter affidavit filed by the second respondent, in para 4 and 5, wherein, it has been stated as follows:-

"4. It is further submitted that the above said extent of 937 sq.ft. in S.No.335 of 2012 to an extent of 480 sq.ft.within the specific boundaries was sold to one M.Gomathi, W/o.K.Mahesh under document No.1535 of 2015 dated 02.03.2015. The said sale deed wrongly mentioned that as S.No.335/13 instead of S.No.335/12. Further, the petitioner executed one Rectification deed dated 13.11.2015 was presented before the second respondent Office.

5. It is further submitted that the Sub Registrar was on medical leave from 13.11.2015 to 20.11.2015 and the Head Clerk was in charge of the Office on 13.11.2015. He might have refused to accept the rectification deed dated 13.11.2015 for registration due to pay the full stamp duty for rectification deed as like a sale deed. If this Hon'ble Court by passing an order directing to register the rectification deed, in respect of the above said properties, the respondent will abide by the order of this Hon'ble Court and the second respondent is ready to register the Rectification deed in accordance with law."

3. The learned counsel for the petitioner also placed reliance upon the decision rendered in W.P.No.20952 of 2011 dated 16.03.2012.

4. In view of the same, the Writ Petition stands disposed of, directing the second respondent to register the rectification deed presented by the petitioner within a period of four weeks from the date of receipt of a copy of this order, subject to the other compliance. No costs.

सत्यमेव जयते

Sd/-  
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

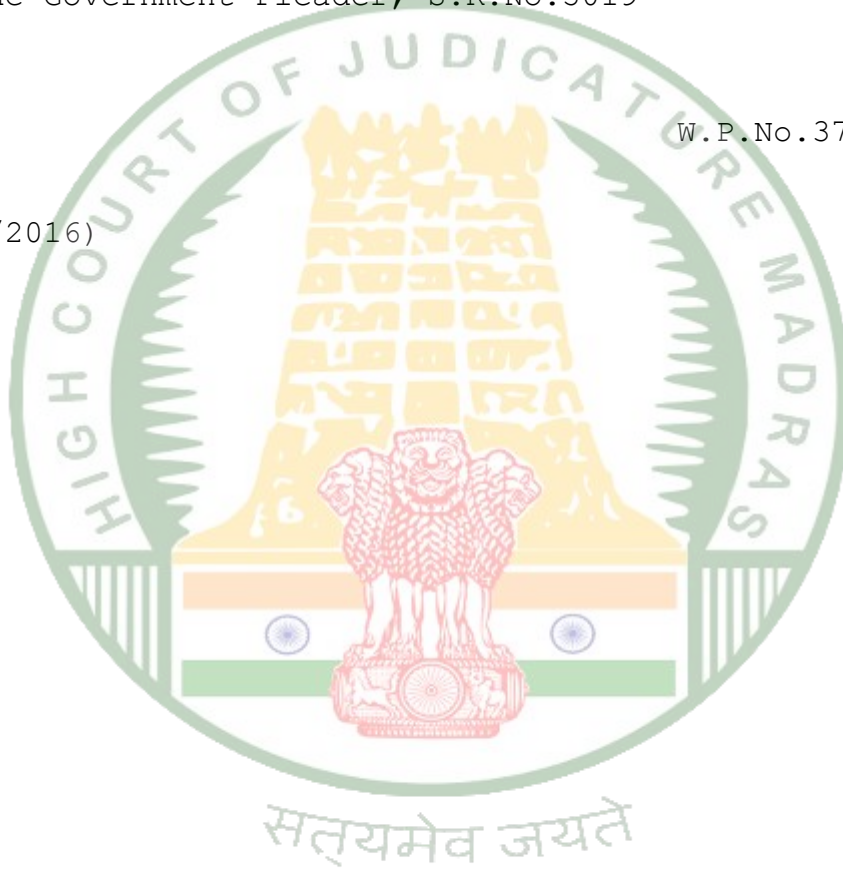
To

1. The Inspector General of Registration,  
Santhome High Road,  
Santhome, Chennai
2. The Sub Registrar, Pammal,  
Chennai 600 075.

+1cc to Mr.N.Suresh, Advocate, S.R.No.5420  
+1cc to the Government Pleader, S.R.No.5019

W.P.No.37557 of 2015

bvr(CO)  
srg(16/03/2016)



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