

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.35873 of 2016

T.P.Dhamodaran

.. Petitioner

vs.

1.The Inspector General of Registration,
Registrar Office,
Santhome High Road,
Mylapore, Chennai-600 004.

2.The Sub-Registrar,
Sub-Registrar Office,
Thiruchengode, Namakkal District.

3.T.P.Palanisamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to register the Sale Deed for the property in Survey No.138/1A3/A2, Thokkavadi Village, Thiruchengode Taluk, Namakkal District.

For Petitioner : M/s.Thenmozhi Shivaperumal

For Respondents : Mr.R.A.S.Senthilvel,

Additional Govt. Pleader for R1 and R2

Mr.Turibus Beski for R3

O R D E R

This Writ Petition has been filed praying for a Mandamus directing the second respondent to register the Sale Deed for the property in Survey No.138/1A3/A2, Thokkavadi Village, Thiruchengode Taluk, Namakkal District.

2. According to the petitioner, he has produced the sale deed but only on the basis of the representation/objection made by the third respondent, the Sub-Registrar has not registered the same and would submit that mere objection cannot be the ground for non-registration. It is further submitted by the learned counsel for the petitioner that the property in question

was also measured by the Tahsildar and the Tahsildar has given a report dated 31.10.2016, wherein it has been stated that the actual extent available for the petitioner as per the document is 2.58 acres and the objector has no title over the property.

3. Per contra, Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the respondents 1 and 2 would contend that the respondents did not reject the registration and when any objection is received by the registering authorities, it is the duty of the Registering Authority to enquire about the title of the property, location of the property, market value of the property, stamp duty paid and other documentary evidence with regard to the subject property. It is further submitted that whenever document is presented, the objection already filed by the third respondent will be considered on merits on the basis of the particulars to be given by the petitioner.

4. Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the documents for registration, after verification of the title deeds. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1.The Inspector General of Registration,
Registrar Office,
Santhome High Road,
Mylapore, Chennai-600 004.

2.The Sub-Registrar,
Sub-Registrar Office,
Thiruchengode, Namakkal District.

+1cc to Mr. WM. Thenmozhi Sivaperuma, Advocate, S.R.No.64272
+1cc to Mr.K. Gangaddaran, Advocate, S.R.No.64535
+1cc to the Government Pleader, S.R.No.64624

sns (CO)
md (17/11/2016)

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