

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.11.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WP.No.39634/2016

M.Shanthi

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Petitioner

Versus

1.The Chief Secretary to Government
of Puducherry, Union of India,
Pondicherry.

2.The Inspector General of Registration
Pondicherry 605001.

3.The Sub Registrar,
Oulgaret, Pondicherry.

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 3rd respondent to register the sale deeds presented by the petitioner in respect of the lands in Puducherry Registration District, Oulgaret Sub Registration District, Village No.39, Karuvadikuppam Village, RS.No.90/3/A/1/A/5, Cadastre No.963/1/2 pt, bearing Plot Nos.7, measuring an extent of 1800 sq.ft., RS.No.90/3/A/1/A/3, Cadastre No.963/1/2 pt, bearing Plot No.9, measuring an extent of 1800 sq.ft., and RS.No.90/3/A/1/A/7/C, Cadastre No.963/1/2 pt, bearing Plot No.15, measuring an extent of 1800 sq.ft.

For Petitioner : Mr.I.Abrar Md Abdullah

For RR 1 to 3 : Mr.C.T.Ramesh GA [Pondy]

ORDER

Heard the learned counsel for the petitioner ; and Mr.C.T.Ramesh, learned Government Advocate [Puducherry] who accepts notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 The only grievance expressed by the petitioner is that the documents, viz., the Sale Deeds, in respect of Plot Nos.7, 9 and 15, presented for registration, has been kept as pending Documents bearing Nos.P-78 [in respect of Plot Nos.7 and 9] and P-79 [in respect of Plot No.15] and the same has not been registered yet. It is the further submission of the petitioner that the documents in respect of other properties in the very same Survey number has already been registered with the very same Sub Registrar and hence, the petitioner seeks for a mandamus to the 3rd respondent to register the sale deeds in question.

3 The learned Government Advocate [Puducherry] would submit that a protest petition has been filed by the third party and unless and otherwise, an enquiry is being conducted, the said documents could

not be registered.

4 Accordingly, the 3rd respondent is directed to conduct an enquiry on the protest petition being received by him, issue notice to the parties concerned, afford an opportunity of personal hearing to both the parties and thereafter, pass orders in accordance with law.

5 The writ petition stands disposed of with the above direction. No costs.

14.11.2016

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To

- 1.The Chief Secretary to Government
of Puducherry, Union of India,
Pondicherry.
- 2.The Inspector General of Registration
Pondicherry 605001.
- 3.The Sub Registrar,
Oulgaret, Pondicherry.

B.RAJENDRAN, J.,

AP

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