

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2016

CORAM:

THE HON 'BLE MR. JUSTICE B.RAJENDRAN

Writ Petition No.39740 of 2016

and W.M.P.No.34000 of 2016

M/s. Palani Andavar & Co.,
A Registered Firm, Rep. By its Managing Partner,
Mr. K.V.Alagesan, S/o. Mr. M.K.Venkatachalam,
No.90A, KVA Complex, Thuraiyur Road,
Namakkal Taluk & District ... Petitioner

Versus

The Joint Sub-Registrar II,
Namakkal Sub-Registrar Office,
Mohanur Road, Namakkal ... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India, seeking for the issuance of a Writ of Mandamus directing the respondent to receive, register and return the lease deed, dated 19.08.2016, executed by the petitioner in favour of The Oriental Insurance Co. Ltd., in respect of the second floor portion of the property at Door No.90A, New Door No.260A, Thuraiyur Road, Namakkal Town, comprised in Survey No.443/5, Town Survey No.443/7, Ward - D, Block-15, Namakkal Town, within a time frame as may be specified by this Court.

For Petitioner : Mr. Ramalingam
For Respondent : Mr. Digvijaypandian, AGP.,
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O R D E R

Heard Mr.Ramalingam, learned counsel for the petitioner and Mr.Digvijaypandian, learned Additional Government Pleader for respondent. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal.

2. The petitioner has filed the above Writ Petition for the issuance of a Writ of Mandamus, directing the respondent to receive, register and return the lease deed, dated 19.08.2016, executed by the petitioner in favour of The Oriental Insurance Co. Ltd., in respect of the second floor portion of the property at Door No.90A, New Door No.260A, Thuraiyur Road, Namakkal Town, comprised in Survey No.443/5, Town Survey No.443/7, Ward - D, Block-15, Namakkal Town, within a time frame as may be specified by this Court.

3. It is the case of the petitioner that it is a firm, registered under the Indian Partnership Act, 1932, on the file of the Registrar of Firms, Salem (West). Aggrieved by the respondent's non-entertaining and refusal to register a Lease Deed, dated 19.08.2016, executed by the firm in favour of the lessee, on the ground that the petitioner-firm has to produce a NOC from the Karur Vysya Bank Ltd., with whom the original title deeds are deposited, the petitioner is before this Court with this writ petition.

4. Since the issue involved in this writ petition lies on a narrow compass, this Court, without going into the merits of the case, projected by the petitioner, is inclined to give a direction to the respondent. Accordingly, there will be a direction to the respondent to consider and pass appropriate orders, on the lease deed, dated 19.08.2016, executed by the petitioner in favour of the Oriental Insurance Co. Ltd., on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected WMP is closed.

-s/d-
Assistant Registrar (CSVII)

True Copy

Sub-Assistant Registrar

srk

To

1.The Joint Sub-Registrar II,
Namakkal Sub-Registrar Office,
Mohanur Road, Namakkal

+2 ccs to M/s.Ramalingam Associates sr65422
+1 cc to Government Pleader sr 65857

W.P.No.39740 of 2016
& W.M.P.No.34000 of 2016

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