

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9505 of 2018

K.G.Foundations Pvt. Ltd.,
Rep. by its Director Haresh Kishor
No.5, Bishop Wallers Avenue (East)
Mylapore
Chennai - 600 004

.. Petitioner

-vs-

1.The Sub-Registrar
29, South Mada Street
Thiruporur- 603 110

2.The Inspector General of Registration
No.100, Santhome High Road
Chennai - 600 028

3.The District Registrar
No.17, Rajaji Street
Chengalpet- 603 001

... Respondents

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the first respondent to issue the original of the sale deeds bearing Document Nos.12304/17, 12537/17, 12528/17, 11730/17, 11874/17, 10626/17, 11876/17, 11733/17, 12539/17, 12301/17, 12328/17, 13474/17 and 12749/17 based on the representation letter of the petitioner dated 26.02.2018 within stipulated time as fixed by this Court.

For Petitioners :: Mr.S.V.Pravin Rathinam

For Respondents :: Mr.T.M.Pappiah
Special Govt. Pleader for R1 to R3

ORDER

The petitioner is a company registered under the Companies Act and is engaged in the business of constructing residential and commercial buildings in and around Chennai.

2. Learned counsel appearing for the petitioner pleaded that the petitioner purchased a land at Thiruporur for constructing a residential building in the name of KG Earth Homes and also developed the residential building in the said land and finally 13 undivided share of land were made ready for purchase by the customers. At this stage, the petitioner approached the first respondent Sub-Registrar, Thiruporur for registering the 13 undivided shares of land on various dates between 16.10.2017 to 22.12.2017. Learned counsel appearing for the petitioner further submitted that though sales deeds pertaining 13 undivided shares of land were registered in Document Nos. 12304/17, 12537/17, 12528/17, 11730/17, 11874/17, 10626/17, 11876/17, 11733/17, 12539/17, 12301/17, 12328/17, 13474/17 and 12749/17, the first respondent cannot decline the request of the petitioner to return the registered sale deeds. Therefore, a direction be issued on the basis of the representation dated 26.02.2018.

3. The learned Special Government Pleader appearing for the respondent submitted that till date the values of the aforementioned property is not made known officially, therefore, the respondent is unable to release the document.

4. It is made clear that if the petitioner have presented the aforementioned sale deeds for registration on the basis of the guideline value declared by the State Government, the first respondent, after registering the sale deeds on the basis of the existing guideline value, cannot retain the sale deeds. The first respondent is directed to release the same, within a period of four weeks from the date of receipt of a copy of this order. If the first respondent is of the view that there is deficit of stamp duty, he shall refer the document in the manner known to law.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gpa

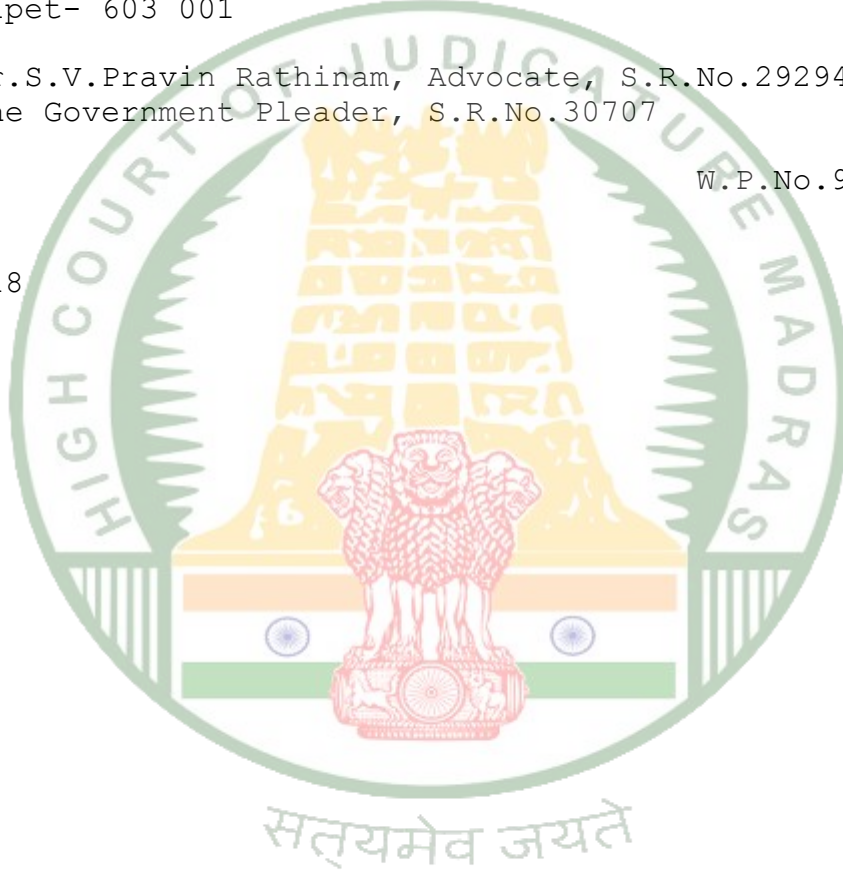
To

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+1cc to Mr.S.V.Pravin Rathinam, Advocate, S.R.No.29294
+1cc to The Government Pleader, S.R.No.30707

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NA(CO)
CS/17/05/18



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