

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.09.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.12151 of 2015

Prabashankar

... Petitioner

Vs

The Sub Registrar,
Kunrathur,
Kancheepuram District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent herein to register the Settlement Deed dated 02.07.2012 presented before him and kept as a pending document.

For Petitioner : Mr.Prakash Goklaney

For Respondent : Mr.P.P.Purushothaman
Government Advocate

O R D E R

The relief sought for in the present writ petition is a direction to direct the Sub Registrar, Kunrathur, Kancheepuram District, the respondent herein, to register the Settlement Deed dated 02.07.2012, presented before the respondent and kept as a pending document.

2. The grievance of the writ petitioner is that the document presented by the petitioner namely, the settlement deed for registration has not been accepted by the office of the Sub Registrar.

3. The learned Government Advocate appearing on behalf of the respondent states that the document presented by the writ petitioner is not coming under the purview of the provisions of the Indian Registration Act, 1908. Thus, the Sub Registrar has every authority to deny the registration.

4. This Court is of an opinion that in the event of any such dispute, the Sub Registrar is empowered to conduct an enquiry, after affording a reasonable opportunity to the writ petitioner

and thereafter, take a decision on merits and in accordance with law.

5. In this view of the matter, the respondent Sub Registrar is directed to conduct an enquiry, by affording an opportunity to the writ petitioner to present his case and thereafter, take a decision and pass orders on merits and in accordance with law, within twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mkn

To

The Sub Registrar,
Kunrathur,
Kancheepuram District.

+2ccs to Mr.Prakash Goklaney, Advocate, S.R.No.65362
+1cc to the Government Pleader, S.R.No.65518

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VSN II (CO)

rrs 23/10/2018

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