

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.11.2018
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN
Writ Petition No.3679 of 2018

P.Harak Chand Bhandari

... Petitioner

Vs.

1. Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai - 600 028

2. The District Registrar,
Chingleput, 10, Kancheepuram Main Road,
Chingleput - 603 002

3. The Sub Registrar,
Thirukazhukundram
8/45, kammala Street, Thirukazhukundram,
Pincode - 603 109
Chengalpet

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to release the document viz., original sale deed dated 29.06.2017 registered as document no.2325 of 2017 on the file of 3rd Respondent in favour of the petitioner within the time limit.

For Petitioner : Mr.K.Venkatesan

For Respondents : Mr.D.Suriya Narayanan
Additional Government Pleader

O R D E R

The petitioner has come up with the present writ petition for a issuance of mandamus directing the respondents to release the document viz., original sale deed dated 29.06.2017 registered as document no.2325 of 2017 on the file of 3rd Respondent, The Sub Registrar, Thirukazhukundram, executed by the Udavumkaranal, in favour of the petitioner within the time limit to be stipulated by this Court.

2. When the matter is taken up for consideration, the learned counsel for the petitioner submitted that the case of the petitioner may be considered in view of the earlier order

dated 05.10.2017 passed by this Court in W.P.No.21517 of 2017.

3. The learned counsel for the respondents has filed a detailed counter affidavit, wherein at Paragraph No.6, it has been observed as follows:

"6. I further submits that un availability of old survey number 221/1A, availability of new survey number 221/16 it value seems that Rs.13,400/- per cent. It is classified as land but the present petitioner has presented sale deed contained extent in square feet only. Mere perusal of the records produced by the petitioner at the time of registration it seems that the previous document contained extent in square feet only. In this circumstances I discharged my duty as per guide lines given by the Inspector general of Registration."

4. Heard both sides and perused the materials available on record. Since the petitioner's claim is to be considered in the light of the order passed in W.P.No.21517 of 2017 dated 05.10.2017, this Court directs the respondents to consider the claim of the petitioner and pass appropriate orders on merits and in accordance with law in the light of the order dated 05.10.2017, after affording an opportunity of personal hearing to the petitioner and all the necessary parties within a period of six weeks from the date of receipt of a copy of this order. It is open to the petitioners to produce all the documentary evidence in support of their claim for consideration.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssd

To

1. Inspector General of Registration,
Registration department, No.100, Santhome High Road,
Chennai - 600 028

2. The District Registrar,
Chingleput, 10, Kancheepuram Main Road,
Chingleput - 603 002

3. The Sub Registrar,
Thirukazhukundram
8/45, kammala Street, Thirukazhukundram,
Pincode - 603 109
rep. By its Secretary,
Chengalpet

+1cc to Mr.K.Venkatesan, Advocate, S.R.No.76182
+1cc to the Government Pleader, S.R.No.76752

Writ Petition No.3679 of 2018

SPD(CO)

rrs 04/12/2018



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