

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.1095 of 2018

L.Rukumani

.. Petitioner

vs.

1. The Inspector General of Registration,
Santhome High Road,
Santhome,
Chennai - 600 004.

2. The Sub-Registrar,
Ambattur,
Chennai - 600 058 .

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 2nd respondent to issue certified copies of the documents in (1) Sale Deed dated 3.10.1991, vide Document No.76 of 1991 in favour of Mr.Babu, (2) General Power of Attorney, dated 5-8-2016 vide Document No.7004/2016 and 7005/2016 by Mr.Babu in favour of Mr.Balaji and (3) sale Deed dated 22-2-2017 by the said Mr.Babu in favour of BMB Foundations Private Limited vide Document No.2615/2017.

For Petitioner : Mr.K.V.Sajeevkumar

For Respondents: Mr.D.Suriyanarayanan,
Additional Government Pleader for R1 & R2.

O R D E R

The petitioner seeks for a mandamus directing the second respondent to issue certified copies of the following documents:

(i) Sale Deed dated 3.10.1991, vide Document No.76 of 1991 in favour of Mr.Babu,

(ii) General Power of Attorney, dated 5-8-2016 vide Document No.7004/2016 and 7005/2016 by Mr.Babu in favour of Mr.Balaji; and

(iii) sale Deed dated 22-2-2017 by the said Mr.Babu in favour of BMB Foundations Private Limited vide Document No.2615/2017.

2. The grievance of the petitioner before this Court is that inspite of making an application for providing certified copies of those documents, the second respondent is not providing the same. The petitioner seeks for the certified copies of those documents for the purpose of challenging the same before the competent Civil Court, as he has some dispute against the execution of those documents.

3. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner to challenge those documents. However, as the petitioner is only seeking for issuance of certified copies of those documents, it is the duty of the second respondent to issue the same to the petitioner, provided the petitioner pays necessary fees for such purpose.

4. Learned Additional Government Pleader, based on instructions, submitted that Section 47-A proceedings is pending in respect of the subject matter documents, viz., sale deeds and therefore, the second respondent is not in a position to provide the certified copies of those documents.

5. Even assuming Section 47-A proceedings are pending, the second respondent can very well furnish the certified copies of the said documents by making necessary endorsements in those copies itself stating that Section 47-A proceedings are pending. Therefore, this writ petition is disposed of by directing the second respondent to issue the certified copies of the documents referred to in the writ petition to the petitioner after making necessary endorsements, if any, as discussed supra, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

1. The Inspector General of Registration,
Santhome High Road,
Santhome,
Chennai - 600 004.

WEB COPY

2. The Sub-Registrar,
Ambattur,
Chennai - 600 058 .

+1cc to Mr.K.V.Sanjeev Kumar, Advocate Sr.No.8254
+1cc to Government Pleader Sr.No.8720

sm:15.2.2018

W.P.No.1095 of 2018



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