

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.05.2018

CORAM :

The Hon'ble Dr.JUSTICE G.JAYACHANDRAN

W.P. No.11708 of 2018
and W.M.P.No.13680 of 2018

B.Baskar

.. Petitioner

-vs-

1.The Sub Registrar
Ambattur Registration Office,
Ambattur, Chennai 600 053.

2.S.Hari Krishnan
3.M.Nandakumar

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to cancel the proceedings dated 11.04.2018 with regard to the registration of the Deed of Release dated 11.04.2018 by the petitioner and the 2nd respondent in favour of the 3rd respondent in relation to the property situated at Plot No.204, Jasmine Nagar Layout, Surapet Village, Madhavaram Taluk, Thiruvallur District, comprised in Survey No.193/1B, 3A Patta No.10880 as per New S.No.193/66, measuring 2471 sq.ft. situated within the limit of Puzhal Panchayat Union and further return the registration charges and stamp duty after deducting the appropriate statutory charges if any.

For Petitioner : Mr.Vaibhav
for M/s.Nithyaesh and Vaibhav

For Respondent : Mr.V.Kathirvelu, Spl.G.P.

WEB COPY O R D E R

This writ petition seeking mandamus against the Sub-Registrar, Ambattur Registration Office, is to cancel the Release Deed dated 11.04.2018 and to return the registration charges and stamp duty.

2.On the face of it, this Court finds that there is no substance in the petition and the relief sought for, except a

direction to the Sub Registrar to pass orders on the representation given by the petitioner herein dated 13.04.2018. As far as the said representation is concerned, stating certain reasons, the petitioner herein, who is one of the parties to the Release Deed, has requested the Sub-Registrar not to proceed further regarding the registration of the Deed of Release, which was registered on 11.04.2018 and to return the document along with registration charges.

3.It appears from the representation of the petitioner that the Deed of Release dated 11.04.2018 already registered and so, the need of stopping further proceedings does not arise. But, however, if there is any dispute in the consent or genuineness of executing the said Deed and the registration of the Deed, it is always open to the parties to agitate before the appropriate forum. If the petitioner is advised that registration is not proper, he can make a representation to the Sub Registrar in that regard and the Sub Registrar can make an enquiry and pass appropriate orders. But, as of now, from the affidavit as well as the documents, this Court does not find any merit to pass orders as prayed for.

4.It is for the petitioner to make a fresh representation to the Sub Registrar making out a case, if any, why the Release Deed presented before him on 11.04.2018 is a voidable document.

5.In the result, the writ petition is dismissed. No costs. Consequently, W.M.P.No.13680 of 2018 is also dismissed.

Sd/-
Deputy Registrar (Ad II)

//True copy//

सत्यमेव जयते
Sub Assistant Registrar

sra

To

The Sub Registrar
Ambattur Registration Office,
Ambattur, Chennai 600 053.

+1cc to Government Pleader SR.No.33190

W.P.No.11708 of 2018

GJ(CO)
GN(08/05/2018)