

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2018

CORAM

THE HON'BLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.No.2702 of 2018

M.Govindhasamy

... Petitioner

Vs.

The Sub-Registrar-Neelangarai,
Kazhura Garden,
Neelagarai,
Chennai - 600 041.

... Respondent

This writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to register the Settlement Deed of the petitioner in favour of the petitioner's daughter, namely H.Jayalakshmi, dated 23.11.2017, within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.P.Sam Japa Singh

For Respondent : Mr.D.Suriyanarayanan,
Additional Government Pleader

O R D E R

The petitioner seeks for a mandamus directing the respondent to register the Settlement Deed dated 23.11.2017 executed in favour of his daughter namely H.Jayalakshmi.

2. When the matter was taken up on 07.02.2018, the learned Additional Government Pleader took notice and sought time to get instructions. Accordingly, the matter is listed today for further hearing. However, the learned Additional Government Pleader is not in a position to get instructions.

3. Considering the nature of the relief sought for in this writ petition, this Court is inclined to dispose of the writ petition as follows:

The petitioner as his father seeks to settle the property in favour of his daughter. Therefore, he executed a settlement deed on 23.11.2017. However, it is stated that the said document is not registered by the respondent without having any valid reasons. Therefore, the petitioner approached this Court and filed the present writ petition. Needless to

say that the Registering Authority, namely, the respondent, is duty bound to act in accordance with law, once the document is presented for registration, by registering the same if there is no other legal impediment for him to do so. On the other hand, if such authority is facing some legal impediment for registering the said document, it is for him to say so in writing and return the document by issuing a check slip. Without doing either of these things, the Registering Authority cannot keep the matter pending for long time. Therefore, this Writ petition is disposed of by directing the respondent to consider the document presented by the petitioner, namely Settlement Deed dated 23.11.2017 and pass appropriate orders on merits and in accordance with law. Such exercise shall be done by the respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

vsi
To

The Sub-Registrar-Neelangarai,
Kazhura Garden,
Neelagarai, Chennai - 600 041.

+ 1 cc to M/s. P. Sam Japa Singh, Advocate Sr.10461
+ 1 cc to MR. Government Pleader Sr.10943

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RR (CO)
EU (26/02/2018)

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