

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.02.2018

C O R A M

THE HON'BLE Mr.JUSTICE K. RAVICHANDRABAABU

W.P.Nos.19495 to 19497 of 2017

S.Arunachalam ...Petitioner
in W.P.19495 of 2017
S.Senthilkumar ... Petitioner
in W.P.19496 of 2017
R.Duraiarasu ... Petitioner
in W.P.No.19497 of 2017

vs

The Sub Registrar,
Thiruvarur,
Thiruvarur District.
...Respondent in all W.Ps.

Common Prayer:Writ petitions filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the first respondent herein to register the Sale deed dated 01.07.2015, which is kept pending as Pending Document Nos.2015 000 70 of 2015, 2015 00071 of 2015 and 2015 000 72 of 2015 respectively for which stamp Duty and Registration Fees paid in full as per the guidelines value and release the same to the petitioner, within the time frame by this Court.

For petitioner : Mr.R.Muthukkannu
in all W.Ps.
For Respondents : Mr.R.Govindasamy
in all W.Ps. Special Government Pleader

C O M M O N O R D E R

In all these writ petitions, the respective writ petitioners are seeking for a mandamus directing the respondent to register the sale deed dated 01.07.2015, which is kept pending as Pending Document Nos.2015 000 70, 2015 00071 and 2015 000 72 of 2015, respectively.

2.Heard Mr.R.Muthukkannu, learned counsel for the petitioners and Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondent.

3. The grievance of the petitioners before this Court is that even though the sale deed was presented by these petitioners as early as on 01.07.2015 and the same were received and assigned with pending Document Nos. 2015 000 70, 2015 00071

and 2015 000 72 of 2015, the respondent has not registered the documents so far, for the reasons best known to him. According to the petitioners, they have complied with the payment of necessary stamp duty, registration fees, etc., in full and therefore, there is no legal impediment for the Registrar to register the documents.

4.Learned Special Government Pleader based on instructions submitted that these documents were kept pending only for verifying certain particulars furnished by the petitioners viz., patta, etc., and therefore, the respondent will pass necessary orders without loss of any further time.

5.Heard both sides.

6.This Court has reiterated time and again that the Registering Authority, once received a document for registration, has to either register the same, if there is no legal impediment for such Authority to do so or to return the said document to the person, who presented the same with the reasons for such return by issuing check slips. Without doing either of these two things, the Registering Authority cannot keep the document pending for months together only by assigning simply a pending Document Number. A statutory duty cast upon the Registering Authority cannot be unduly delayed without any valid reason. In this case, the subject matter documents were filed before the respondent and they were also assigned with pending document numbers as early as in the month of July 2015. However, the petitioners have approached this Court and filed the present writ petitions only in the month of July 2017, after patiently waiting for two years. Therefore, all these writ petitions are disposed of by directing the respondent to pass orders on the documents presented by the petitioners within a period of two weeks from the date of receipt of a copy of this order. No costs.

s/d-
सुतारामच नरगते
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

vri

To

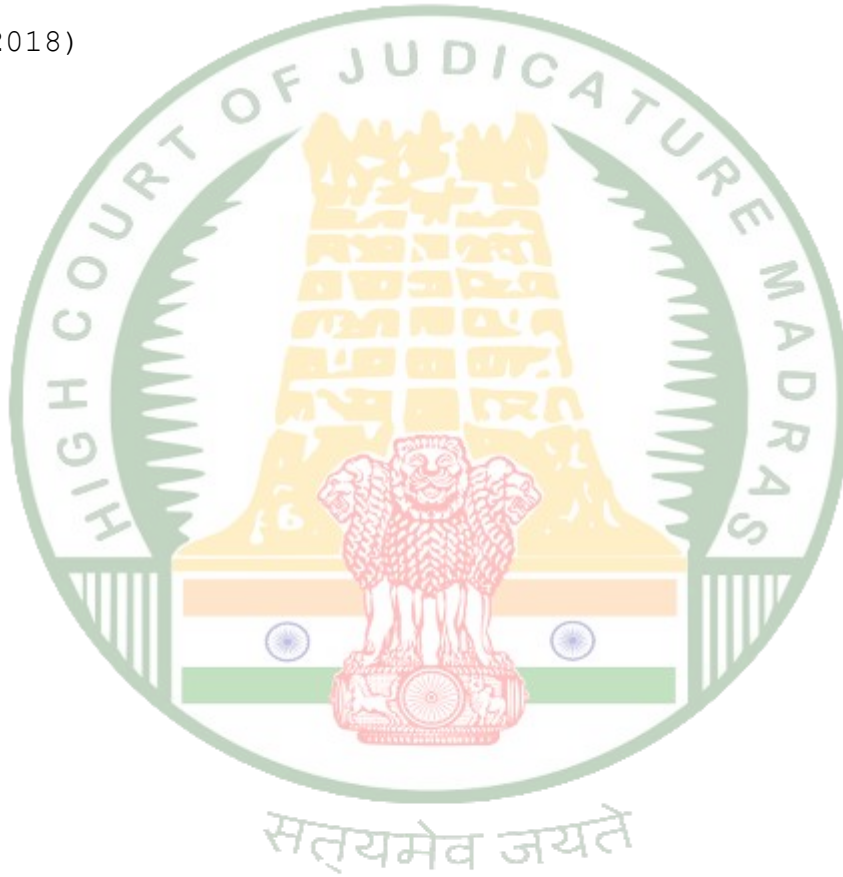
The Sub Registrar,
Thiruvarur,
Thiruvarur District.

+3 Ccs to Mr.R. Muthukannu, Advocate sr 11070 to 11072.

+1 CC to The Govt. Pleader sr 11006 to 11008

W.P.Nos.19495 to 19497 of 2017

SK(CO)
SP(01/03/2018)



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