

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :12.10.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.44469 of 2016

M.S.Chandran ..Petitioner

Vs

1.The Sub-Registrar
Villivakkam, Chennai.

2.Mrs.N.Kokila ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to Mortgage Deed dated 13-07-2015 registered as Document No.P143/2015.

For Petitioner : Mr.A.Ilaya Perumal

For Respondents : Mr.P.P.Purushothaman
Government Advocate for R1

No appearance for R2

O R D E R

The relief sought for in this writ petition is for a direction to direct the 1st respondent to register the Mortgage Deed dated 13-07-2015 as Document No.P143/2015.

2. The learned Government Advocate appearing on behalf of the 1st respondent made a submission that the claim of the writ petitioner was rejected by the Sub Registrar, Villivakkam, Chennai in proceedings dated 02.08.2018, on the ground that the writ petitioner has not produced the required documents for the purpose of registering the Mortgage Deed.

3. Contrarily, the learned counsel appearing for the petitioner informed this Court that the petitioner had produced certain documents.

4. This Court is of an opinion that such facts and circumstances raised by the writ petitioner cannot be adjudicated in a writ proceedings. Thus, the writ petitioner is at liberty to approach the appellate authority for the purpose of adjudicating all these issues by producing original documents and by adducing evidences, if required.

5. In this view of the matter, no further adjudication is required in respect of the grounds raised in the present writ petition. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

12.10.2018

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Internet:Yes/No

Index : Yes/No

Speaking/Non speaking order

To

The Sub-Registrar

Villivakkam, Chennai.

S.M.SUBRAMANIAM, J.

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