

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition Nos.1521 to 1523 of 2018

W.P.No.1521 of 2018

M/s. Pride enterprises,
represented by its Partner,
B.Vikramkumar Bagmar,
S/o Powerlal,
Akshaya 36- Carat, Flat No.A92,
9th floor, A Block,
No.136/950, E.V.R.Periyar Road,
Purasaivalkkam,
Chennai - 600 084 ... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai-4.
2. The District Registrar,
District Registrar's Office,
Kancheepuram,
Kancheepuram District.
3. The Sub-Registrar,
Neelankarai Sub-Registrar Office,
Neelankarai,
Shozinganallur Taluk,
Kancheepuram District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 3rd respondent to register the sale deed presented for registration by the petitioner on 06.09.2017 on the file of 3rd respondent, pertaining to the Document No.P/326 and further direct the 3rd respondent to return the original sale deed subsequent to registration to the petitioner.

W.P.No.1522 of 2018

T.Sivakumar
S/o V.Thangavel,
Managing Partner of M/s.Akshayam Property
Developers,
No.4/297, Jayadurga Complex, First Floor,
Ottiyampakkam Main Road,
Chittalapakkam,
Chennai - 600 100

.. Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
2. The District Registrar,
District Registrar's Office,
Kancheepuram,
Kancheepuram District.
3. The Sub-Registrar,
Neelankarai Sub-Registrar Office,
Neelankarai, Shozhinganallur Taluk,
Kancheepuram District.

.. Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 3rd respondent to register the Power of Attorney Deed presented for registration by the petitioner on 06.09.2017 on the file of 3rd respondent, pertaining to the Document No.P/324 and further direct the 3rd respondent to return the original Power of Attorney deed subsequent to registration to the petitioner.

W.P.No.1523 of 2018

M/s. Pride enterprises,
represented by its Partner,
B.Vikramkumar Bagmar,
S/o Powerlal, Akshaya 36- Carat, Flat No.A92,
9th Floor, A Block,
No.136/950, E.V.R.Periyar Road,
Purasaivalkkam,
Chennai - 600 084

.. Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.

2. The District Registrar,
District Registrar's Office,
Kancheepuram,
Kancheepuram District.
3. The Sub-Registrar,
Neelankarai Sub-Registrar Office,
Neelankarai,
Shozinganallur Taluk,
Kancheepuram District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 3rd respondent to register the sale deed presented for registration by the petitioner on 06.09.2017 on the file of 3rd respondent, pertaining to the Document No.P/325 and further direct the 3rd respondent to return the original sale deed subsequent to registration to the petitioner.

For Petitioners : Mr.V.Lakshminarayanan
for Mr.B.Nambi Selvan

For Respondents : Mr.R.Govindasamy,
Special Government Pleader
for R1 to R3

COMMON ORDER

In all these three writ petitions the respective petitioners seek for a mandamus directing the 3rd respondent to register the sale deed, power of attorney and sale deed respectively presented by the respective petitioners for registration on 06.09.2017.

2. The grievance of the petitioners before this Court is that even though the petitioners have paid the necessary fees and charges including the stamp duty etc., for the purpose of registering the respective sale deeds and power of attorney, the 3rd respondent is not registering the same without assigning any reason.

3. On the other hand, the learned Special Government Pleader, based on instructions, submitted that the 3rd respondent is in the process of verifying the claim made by the petitioners under the sale deeds and Power of Attorney and therefore, the said process would be completed shortly.

4. Heard Mr.V.Lakshminarayanan, learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. It is seen that these petitioners have presented their respective sale deeds and Power of Attorney for registration

before the 3rd respondent. Their grievance is that for the past four months, the 3rd respondent is keeping the said documents without registering the same, only by giving pending document Nos.P/326,P/324 & P/325 respectively. This Court, in very many cases has repeatedly observed that the Registering Authority, once receives the document for registration, has to either register the same, if there is no legal impediment for such authority to do so or return the said document to the person who presented the same for registration, by issuing a check slip and stating the reasons for returning the document. Without doing either of these two things, the Registering Authority, cannot keep the documents pending for long time.

6. Considering the fact that the 3rd respondent is keeping these documents pending for more than four months, all these writ petitions are disposed of with a direction to the 3rd respondent to consider the documents presented by each of the petitioners and take action on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

vsi

To

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
2. The District Registrar,
District Registrar's Office,
Kancheepuram, Kancheepuram District.
3. The Sub-Registrar,
Neelankarai Sub-Registrar Office,
Neelankarai, Shozinganallur Taluk,
Kancheepuram District.

+3cc to Mr.B.Nambiselvan, Advocate SR.No.11684, 11686, 11687
+1cc to Government Pleader SR.No.12157

W.P.Nos.1521 to 1523 of 2018

GN(19/02/2018)