

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.18915 of 2018

C.Suyamprakash

..Petitioner

-vs-

1. The Inspector General of Registration
No.100, Santhome High Road
Chennai 600 028

2. The District Registrar
Kancheepuram District

3. The Sub Registrar
Perambakkam Registration Office
Tiruvallur District

4. P.N.Raghavendran

5. P.N.Balaji

6. S.V.Sekar

..Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the third
respondent to register the sale deed dated 28.06.2018 submitted
by the petitioner with the third respondent.

For Petitioner :: Mr.R.Karunakaran

For Respondents :: Mr.T.M.Pappiah
Special Government Pleader
for R1 to 3

ORDER

This writ petition has been filed by Mr.C.Suyamprakash
seeking a mandamus directing the Sub Registrar, Perambakkam
Registration Office, Tiruvallur District, the third respondent
herein to register the sale deed dated 28.6.2018 presented by
the petitioner.

2. Learned counsel for the petitioner submitted that
Mr.P.N.Raghavendran and Mr.P.N.Balaji, the respondents 4 & 5 are
the owners of the dry land comprised in Survey No.254 having an

extent of 1 acre, 4 cents at No.120, Perambakkam Village, Kadambattur Panchayat Union, Tiruvallur District bearing Patta No.55 and they appointed Mr.S.V.Sekar, the respondent No.6 as their general power of attorney through the Document No.2898 of 2006 dated 5.7.2006 registered before the Sub Registrar Office, Ambattur. Subsequently, on receipt of the full sale consideration of Rs.3,00,000/- by the respondents 4 & 5, the property in question was sold to the petitioner. However, prior to the registration of the general power of attorney given to the respondent No.6, the respondents 4 & 5 had a plan to sell the property in favour of one Mr.Chandraiah and an agreement of sale was also entered with him. Thereafter, as the sale agreement could not be completed, the respondents 4 & 5 decided to cancel the sale agreement and the sixth respondent was appointed. In view of the fact that the sixth respondent has become the power of attorney holder of the respondents 4 & 5 and the respondents 4 & 5 also received the full sale consideration and a sale deed was also executed by the sixth respondent on 25.6.2018 in favour of the petitioner and the same was also filed through online in T.P.2420540/2018 at 14.00-15.00/4, the third respondent has not come forward to register the sale deed till date. Therefore, a representation was given and the same also evoked no response. Hence, he has been advised to come to this Court.

3. It is at this stage, the learned Special Government Pleader for the respondents 1 to 3 submitted that since the petitioner has presented the sale deed along with the representation, the same will be considered.

4. Recording his statement, this Court hereby directs the third respondent to consider the representation of the petitioner for registration of the sale deed dated 28.6.2018 and do the needful within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.22304 of 2018 is closed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

SS

To

1. The Inspector General of Registration
No.100, Santhome High Road
Chennai 600 028

2. The District Registrar
Kancheepuram District

3. The Sub Registrar
Perambakkam Registration Office
Tiruvallur District

+1 CC to Govt. Pleader sr 51436.

+1 CC to Mr.R. Karunagaran, Advocate sr 51002.

W.P.No.18915 of 2018

SP(01/08/2018)



WEB COPY