

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.28125 of 2018
and W.M.P.No.32775 of 2018

1. K.N.Muthusamy

2. D.Chandrasekaran

.... Petitioners

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Agraharam Road,
Perundurai 638 052
Erode District.

.... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to release the documents of the petitioners dated 01.04.2015 on file of the respondent relating to the S.No.817/1 to an extent of 1.01 acres, Perundurai Village, Perundurai Taluk, Erode District.

For Petitioners : Mr. A.Sundaravadhanan

For Respondent : Mr. T.M.Pappiah
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the respondent to release the documents of the petitioners dated 01.04.2015 on the file of the respondent relating to the S.No.817/1 to an extent of 1.01 acres, Perundurai Village, Perundurai Taluk, Erode District.

2. It is the case of the petitioners that they purchased the petition mentioned properties and the documents have been registered on 01.04.2015, but the respondent has not returned the documents. The respondent also has not given any valid

reason for retaining the documents by issuing the check slip. The registering authority has got no right to retain the documents once it is registered. The respondent can either register the document or return the documents with check slip. Without any reason, the documents are said to be withheld by the respondent.

3. The learned Special Government Pleader appearing for the respondent has submitted that there was a criminal case with respect to S.No.817/2, 4, 6, 7 and 10 in Perundurai Village but as the petitioners have got nothing to do with the said case, he has no objection for releasing the said documents.

4. Considering the facts and circumstances of the case and having regard to the submissions of both sides, the respondent is directed to return the documents registered as Document Nos.12 and 13 of 2015 to the petitioners within a period of two (2) weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No Costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Sub Registrar,
Office of the Sub Registrar,
Agraharam Road,
Perundurai 638 052
Erode District.

+1cc to Mr.A.Sundaravadhanan, Advocate, S.R.No.81082

+1cc to the Government Pleader, S.R.No.81332

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KK(CO)
GSP(19/12/2018)