

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32133 of 2018

Mr.Vaizul Karunai

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Petitioner

..Vs..

- 1.The Inspector General of Registration
Office of the Inspector General of Registration
Santhome High Road,
Mylapore, Chennai - 600 004.
- 2.The Assistant Inspector
General of Registration,
Office of the Assistant Inspector
General of Registration
Guindy, Chennai.
- 3.The Assistant Inspector
General of Registration,
Office of the Assistant Inspector
Kuralagam Building,
Parrys, Chennai.
- 4.The Sub-Registrar,
Office of the Sub-Registrar,
Neelangarai, Chennai.
- 5.The Joint-I Sub-Registrar
Office of the Joint-I Sub-Registrar
Chennai North,
Chennai.

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Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the fourth respondent to make endorsement of the Memo of the petitioner Sale deed Doc No.215/2003 on the file of the Joint-I Sub-Registrar, Chennai in the fourth respondent Office Encumbrance Register, pertaining to the property House Site Plot No.25, V.G.P.Golden Beach Part III Layout approved with Approval No.LPDM/DDTP NO.150/74 comprised

in S.No.15/1C as per Patta No.373 Survey No.15/113 of Injambakkam Village, Saidapet Village, (now Sholinganallur Taluk). Kancheepuram.

For Petitioner : Mr.J.Ferozkhan
For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed seeking for a direction to the fourth respondent to make endorsement of the Memo of the petitioner Sale deed Doc No.215/2003 on the file of the Joint-I Sub-Registrar, Chennai in the fourth respondent Office Encumbrance Register, pertaining to the property House Site Plot No.25, V.G.P.Golden Beach Part III Layout approved with Approval No.LPDM/DDTP NO.150/74 comprised in S.No.15/1C as per Patta No.373 Survey No.15/113 of Injambakkam Village, Saidapet Village, (now Sholinganallur Taluk). Kancheepuram.

3. The case of the petitioner is that the petitioner's father purchased the property in plot No.5, VGP Golden Beach, Part III Layout from Mrs.Zaibunisa by registered sale deed dated 20.08.2003 registered as document no.215/2005 on the file of the Joint-II Sub Registrar, Chennai North, the fifth respondent herein. He had issued a Memo copy of the Sale Deed to the fourth respondent to enter the copy of the Sale deed Memo in the Encumbrance Register. Hence, the petitioner had requested fourth respondent seeking the particulars as to whether the Sale Deed copy of the Memo entered in the Sub Registrar Office, Neelangarai or not and if the sale deed Memo was not entered he will get a Memo from Joint-II, Sub Registrar, Chennai North and enter the same. The petitioner also sent a representation to the second respondent and fourth respondent on 23.08.2018, requesting them to enter the said Memo in the encumbrance register of the fourth respondent office, pursuant to which, the second respondent sent a letter to the fourth respondent, directing the fourth respondent to find out the genuinity of the sale deed registered in the office of the Joint-I, Sub-Registrar, Chennai North and act as per Rule 160 IV of the Registration Rule. Since, no action has been taken till date, the petitioner has filed this Writ Petition seeking for the aforesaid relief.

4. Mr.T.M.Pappiah, learned Special Government Pleader who accepts notice on behalf of the respondents, submits that the entry of the said Memo shall be done in the encumbrance

register, made only after proper verification.

5. Considering the aforesaid facts and circumstances of the case and having regard to the submissions made, this Writ Petition is disposed of with a direction to the fourth respondent to do the verification, within a period of one week from the date of receipt of a copy of this order and thereafter enter the memo in the encumbrance register of the office of the fourth respondent, within a period of two weeks thereafter. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector General of Registration
Office of the Inspector General of Registration
Santhome High Road, Mylapore, Chennai - 600 004.
- 2.The Assistant Inspector
General of Registration,
Office of the Assistant Inspector
General of Registration
Guindy, Chennai.
- 3.The Assistant Inspector
General of Registration,
Office of the Assistant Inspector
Kuralagam Building, Parrys, Chennai.
- 4.The Sub-Registrar,
Office of the Sub-Registrar,
Neelangarai, Chennai.
- 5.The Joint-I Sub-Registrar
Office of the Joint-I Sub-Registrar
Chennai North, Chennai.

+1cc to Mr.J.Ferozkhan, Advocate, S.R.No.84391

+1cc to Government Pleader, in sr.no.84033

W.P.Nos.32133 of 2018

NA(CO)

CS/09/01/2019