



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2018

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.5926 of 2018

Menaka

... Petitioner

Vs.

1.The Inspector of General of Registration,
Integrated complex of
Registration Department,
TNAU Nagar,
Rajakampeeram,
Y,Othakadai, Madurai-625107.

2.The Sub Registrar
District Registrar Level,
Arasaradi Sub-Registrar Office,
Madurai.

3.N.Deepa

...Respondents

(R3 is impleaded vide Court order
dated 21.03.2018 in W.M.P(MD).No.5948 of 2018)

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, to direct the second respondent to receive and register the sale deed in favour of Dr.Balagurunathan in respect of the property in Survey No.44/5, and Survey No.44/6, as per sub division and Re-Survey Nos.44/5B1 and 44/6A (sub division re-survey No.44/6A1), the total extent is 20 cents 335 sq.ft, in which 6 cents 391 sq/ft. at the western side, comprising a house in Plot.No.3, Door.No.88, S.S.Colony, 9th Street, to an extent of 6 cents 391 sq.ft along with a house with an extent of 2992 sq.ft in Ponmeni Village, Madurai District within the Sub Registration District of second respondent, Sub Register, Arasaradi Sub-Registrar Office, Madurai District.

For Petitioner : Mr.Govindarajan
for M/s.S.Mahalakshmi

For Respondent : Mr.Aayiram K.Selvakumar (For R1 & R2)
Additional Government Pleader
Mr.N.Anandhapadmanaban (for R3)

<https://hcservices.ecourts.gov.in/hcservices/>

O R D E R

The petitioner's request for registering sale deed in connection with the property in S.Nos.44/5, 44/6, as per sub-division and Re-Survey Nos.44/5B1 and 44/6A (sub division re-survey No.44/6A1), to an extent of 20 cents 335 sq.ft, in which 6 cents 391 sq.ft. at the western side, comprising a house in Plot.No.3, Door.No.88, S.S.Colony, 9th Street, to an extent of 6 cents 391 sq.ft along with a house with an extent of 2992 sq.ft in Ponmeni Village, Madurai District within the Sub Registration District of second respondent, Sub Register, Arasaradi Sub-Registrar Office, Madurai District, was kept pending on the ground that W.P.(MD).No.5580 of 2018 on this issue was pending.

2.Today when the matter was called, the learned counsel for the petitioner submitted that the second respondent's objection in application No.2 of 2018 came to be closed on 12.03.2018 and that the W.P(MD).No.5580 of 2018 was also withdrawn on 16.03.2018 and as such reasons adduced by the second respondent may not be correct. As such it would be appropriate to direct the second respondent herein to re-consider the petitioner's request for registration of the sale deed.

3.In this connection, the petitioner is granted liberty to approach the second respondent herein, seeking registration of the sale deed with written representation. On receipt of such representation, the second respondent shall consider it on own merits and take such necessary action in accordance with law. It is made clear that while taking any further action on the petitioner's representation, the second respondent shall give due opportunity to the third respondent herein and after consideration of objection of the third respondent, such a decision shall be taken. Such an exercise shall be completed, within a period of four weeks from the receipt of the representation. It is made clear that I have not expressed any of my views with regard to the scope and powers of the second respondent to register or deny the petitioner's documents.

4.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar/-



To

1.The Inspector of General of Registration,
Integrated complex of
Registration Department,
TNAU Nagar,
Rajakampeeram,
Y,Othakadai, Madurai-625107.

2.The Sub Registrar
District Registrar Level,
Arasaradi Sub-Registrar Office,
Madurai.

+1cc to Mr.N.Ananthapadmanaban, Advocate, SR.No.59819

rmk
RL/4C/3P/JC/SAR1/16/4/2018

W.P. (MD) No. 5926 of 2018

04.04.2018