

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 09.01.2019

CORAM
THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.748 of 2019

S.Venugopal Raj

.. Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600 028.
2. The Deputy Inspector General of Registration,
Sub-Registrar Office, Saidapet,
3rd Phase, Arulayiammanpet,
SIDCO Industrial Estate,
Guindy, Chennai - 600 032.
3. The District Registrar,
Kanchipuram District,
Arasu Nagar, Thandavaraya Nagar,
Kanchipuram, Tamil Nadu - 631 601.
4. The Sub-Registrar,
Sub-Registrar Office,
Thiruvelangadu.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent herein culminating in the order of refusal dated 13.12.2018 and quash the same and consequently direct the 4th respondent herein to register the sale deed presented by the petitioner herein.

For Petitioner : Mr.R.Srinivas
for Mr.K.R.Arun Shabari

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

O R D E R

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

2. The petitioner has filed this Writ Petition challenging the order dated 13.12.2018 passed by the fourth respondent and to direct the fourth respondent to register the sale deed presented by him.

3. It is stated that the subject lands were purchased by the mother of the petitioner in the year 1994. She had executed a settlement deed in favour of the petitioner. In the said circumstances, one V.Rajendran wanted to purchase the petitioner's property to an extent of 9.70 acres. Accordingly, the sale deed was executed and presented for registration before the fourth respondent herein. The fourth respondent had asked for various documents pertaining to the said lands for verification and even after furnishing the said documents, he refused to register the document by passing an impugned order dated 13.12.2018. The impugned order says that there was a complaint from someone with respect to the registration of the said sale deed. Therefore, he had asked the petitioner to appear for an enquiry.

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

5. It is now contended by the learned counsel for the petitioner that the fourth respondent has got no power to conduct an enquiry, when all the documents necessary for the purpose of registration of the said sale deed are in order. Merely because the fourth respondent had received the complaint or objection from other party, he cannot refuse to register the sale deed.

6. The learned Special Government Pleader submitted that if the documents are presented again and if it is in order, the same will be registered.

7. Accordingly, the petitioner is directed to present the documents for registration before the fourth respondent and the fourth respondent is directed to register the document, if the same is otherwise in order.

8. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600 028.
2. The Deputy Inspector General of Registration,
Sub-Registrar Office, Saidapet,
3rd Phase, Arulayiammanpet,
SIDCO Industrial Estate,
Guindy, Chennai - 600 032.
3. The District Registrar,
Kanchipuram District,
Arasu Nagar, Thandavaraya Nagar,
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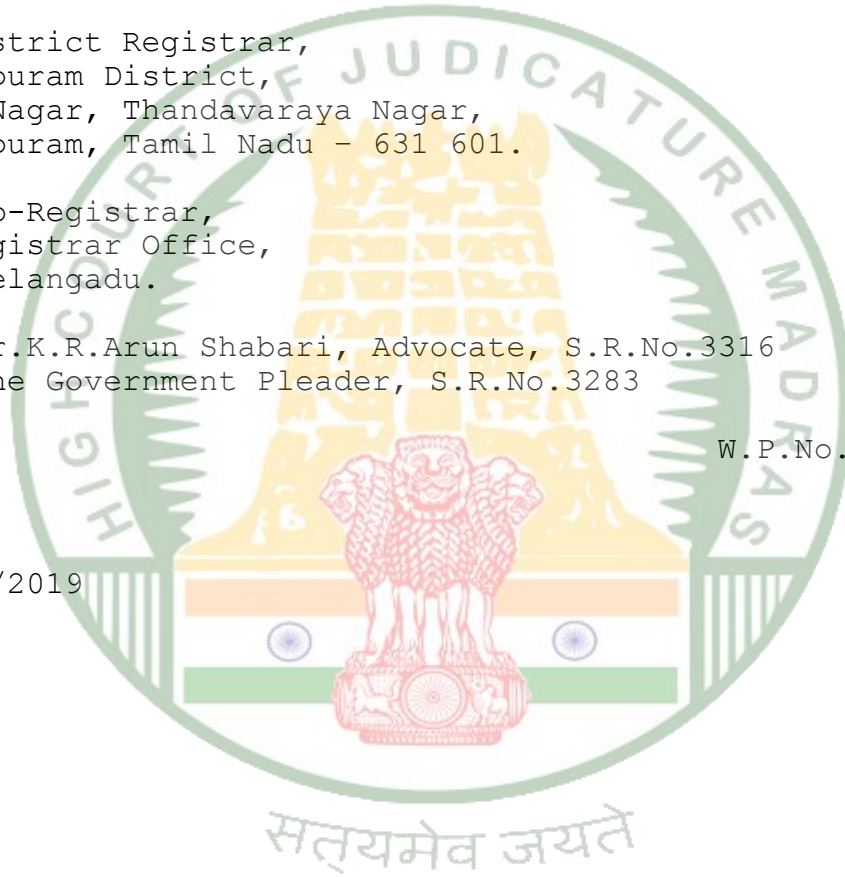
+lcc to Mr.K.R.Arun Shabari, Advocate, S.R.No.3316

+lcc to the Government Pleader, S.R.No.3283

W.P.No.748 of 2019

SKV(CO)

rrs 11/01/2019



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