

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3032 of 2019

B.Ramesh

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Chennai-600028.
2. The District Registrar (Administration),
Department of Registration,
Gandhi Nagar,
Tiruvannamalai-606601.
3. The Sub-Registrar,
Registration Department,
Chengam Town-606701,
Tiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent in No.4382/A1/2018, dated 10.12.2018 and quash the same and consequently direct the respondents herein to issue a commission for examination of the executant/petitioner's father namely, P.Balasubramanian, at his residence at, Door No.10/1, Durairaj Nagar, Keelkattalai, Chennai-600117, so as to carry out the registration of the sale deed intended to be executed by the petitioner's father P.Balasubramanian, Male, aged about 80 years who is sick and bed-ridden and not able to travel to the office of the third respondent at Chengam, Tiruvannamalai District, for registration of the sale deed.

For Petitioner : Mr.S.Vediappan

For Respondents : Mr.P.P Purushothaman
Government Advocate

O R D E R

This writ petition is filed challenging the proceedings of the second respondent dated 10.12.2018, wherein and whereby, the

petitioner's request made through his representation dated 06.12.2018, directing the third respondent to come to his house at Chennai to carry out the registration of the sale deed intended to be executed by the petitioner's father by name P.Balasubramanian.

2. According to the petitioner, the petitioner's father is bed-ridden and he is proposing to execute a sale deed in respect of the property, referred to in the representation, which is situated at Chengam Village. It is also stated by the petitioner that since his father is bed-ridden, the registration could take place at Chennai, for which purpose, he sought for a direction to the third respondent to come and register the document at Chennai, where the petitioner's father resides.

3. First of all, I failed to understand as to how this writ petition is maintainable, based on the facts and circumstances as narrated. It is an admitted fact that no sale deed is executed so far by the petitioner's father. Secondly, the petitioner's father has not made any request to the Registering Authorities stating that he is bed-ridden and therefore, he could not come up to Chengam. Therefore, I do not think that the present writ petition filed by the petitioner, who is admittedly not going to be the Executant of the sale deed, is not entitled to make any representation before the Registering Authority.

5. Accordingly, I find that the writ petition is totally misconceived. However, it is open to the petitioner's father to make such request to the Registering Authority after executing the sale deed as stated in the writ petition. Hence, this writ petition is disposed of. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

sni/vri

To

1. The Inspector General of Registration,
Santhome High Road,
Chennai-600028.

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2. The District Registrar (Administration),
Department of Registration,
Gandhi Nagar,
Tiruvannamalai-606601.

3. The Sub-Registrar,
Registration Department,
Chengam Town-606701,
Tiruvannamalai District.

+1 cc to Mr.S.Vediappan, Advocate SR.No.11247
+1 cc to The Government Pleader, SR.No.12332

CSL/15.02.2019

W.P.No.3032 of 2019



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