

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7825 of 2019

Syed Inaiyathulla
represented by his Power Agent Fayazkhan .. Petitioner

-vs-

The Sub Registrar
Office of the Sub Registrar
District Collector office campus
Coimbatore 641 018 ... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent herein to hand over petitioner's original sale deed dated 12.04.2017, bearing Document No.P201700036, registered on 25.04.2017, to the petitioner.

For Petitioner :: Mr.R.Vijayakumar

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

ORDER

The petitioner and one Mr.Rafinawaz claim to be the absolute owners of the land measuring 10 acres in Survey Nos.571/B1, 571/B2, 571/B3, 592/D1, 592/D2, 592/D3, 593/1 and 593/2 and another 5 acres in Survey Nos.571/B1, 571/B2, 571/B3, 592/D1, 592/D2, 593/D3, 593/1 and 593/2 in Kurinji Village, on the basis of the registered sale deed dated 12.4.2017 executed on the basis of an order passed by the trial Court in E.P.No.680 of 2016 in O.S.No.1564 of 2015 on 15.4.2016. Since the registration has been done on the basis of the civil Court judgment and decree, from the date of registration, the petitioner, it is claimed, has been running from pillar to post before the office of the respondent. For the reasons best known to them, they are not even releasing the sale deed. Therefore, he has given a representation on 19.2.2019 to release and handover the registered sale deed in his favour, as the petitioner is the owner and decree holder in O.S.No.1564 of 2015 followed by the order passed in E.P.No.680 of 2016 dated 15.4.2016.

2. Mr.T.M.Pappiah, learned Special Government Pleader for the respondent sought two weeks time to consider the petitioner's representation, on the basis of the judgment and decree passed in O.S.No.1564 of 2015 dated 16.3.2016 and also the order passed in E.P.No.680 of 2016 dated 15.4.2016.

3. This Court hereby directs the Sub Registrar-Joint I, Coimbatore to consider the representation of the petitioner, on the basis of the judgment and decree passed in O.S.No.1564 of 2015 dated 16.3.2016 and also the order passed in E.P.No.680 of 2016 dated 15.4.2016, and do the needful within a period of two weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

ss

To

1. The Sub Registrar
Office of the Sub Registrar
District Collector office campus
Coimbatore 641 018

2. The Sub Registrar -Joint I, Coimbatore

+1cc to Mr.R.Vijayakumar, Advocate SR.No.25951

+1cc to Government Pleader SR.No.26286

W.P.No.7825 of 2019

PD (CO)
GMY (09/04/2019)

WEB COPY