

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.03.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9263 of 2019

B.Ramani Babu

...Petitioner

Vs.

1. The District Registrar,
District Registrar Office,
Cheyyar.

2. The Sub-Registrar,
Sub-Registrar Office,
Vandavasi-604408.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider the representation dated 06.02.2019 seeking release of the documents registered Vide Doc.No.5/2019 and Doc.No.6/2019 and to dispose the same within the time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Sathish

For Respondents: Mr.P.P.Purushothaman
Government Advocate

O R D E R

Mr.P.P.Purushothaman, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the 2nd respondent consider her representation dated 06.02.2019, wherein and whereby, she sought to release the documents registered vide Document Nos.5 & 6 of 2019.

3. It is stated that the petitioner has presented a release deed and a partition deed dated 29.01.2019 before the 2nd respondent/Sub-Registrar, Vandavasi on 01.02.2019. It is further stated that the 2nd respondent has issued receipt Nos.382/2019 & 395/2019 and allotted pending document numbers in P/Vandavasi/5/2019 & P/Vandavasi/6/2019 after receiving a sum of Rs.4,040/- and Rs.21,770 towards relevant charges. It is stated

that the 2nd respondent has not either registered the documents or returned the same so far and on the other hand, keeping it pending without passing any order. Therefore, the petitioner made a representation on 06.02.2019 to the 2nd respondent and the said representation is said to be pending.

4. Needless to say that the Registering Authority, namely, the 2nd respondent, is duty bound to act in accordance with law, once the document is presented for registration, by registering the same if there is no other legal impediment for him to do so. On the other hand, if such authority is facing some legal impediment for registering the said document, it is for him to say so in writing and return the document by issuing a check slip. Without doing either of these things, the Registering Authority cannot keep the matter pending for long time.

5. Considering the above stated facts and circumstances, this writ petition is disposed of, only by directing the 2nd respondent to consider the representation of the petitioner dated 06.02.2019 and pass appropriate orders on the documents presented by the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mk

To

1. The District Registrar,
District Registrar Office,
Cheyyar.

2. The Sub-Registrar,
Sub-Registrar Office,
Vandavasi-604408.

+1cc to Mr.K.Sathish, Advocate, S.R.No.30893

+1cc to the Government Pleader, S.R.No.31014

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RGN (CO)

RRS (11/04/2019)