

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.8743 of 2019

P.Murugan

... Petitioner

Vs.

- 1.The Inspector of Registration
Santhome High Road,
Chennai.
- 2.The District Registrar
Sidco Industrial Estate
Guindy, Chennai.
- 3.The Sub Registrar
Guduvancherry
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to release the document vide Doc.No.P/Guduvancherry/314/2018 dated 18.09.2018 within the stipulated time.

For Petitioner : Mr.N.Umapathi

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 3rd respondent to release the document in Doc.No.P/Guduvancherry/314/2018 dated 18.09.2018.

3. It is stated that the petitioner has presented a partition deed dated 11.09.2018 before the 3rd respondent/Sub-Registrar, Chennai on 18.09.2018. It is further stated that the 3rd respondent has issued receipt No.22167/2018 and allotted pending document number in Doc.No.P/Guduvancherry/314/2018,

after receiving a sum of Rs.36,555/- towards relevant charges. It is stated that the 3rd respondent has not either registered the document 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 11.03.2019 to the 3rd respondent and the said representation is said to be pending.

4. Needless to say that the Registering Authority, namely, the 3rd 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 3rd respondent to consider the representation of the petitioner dated 11.03.2019 and pass appropriate orders on the document 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(CS I)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Registration
Santhome High Road, Chennai.

2.The District Registrar
Sidco Industrial Estate,Guindy, Chennai.

3.The Sub Registrar
Guduvancherry,Chennai.

+1 cc to Mr.N.Umapathy, Advocate Sr.No.30029

+1 cc to The Government Pleader, Sr.No.31012

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NMI (CO)
CSL/04.04.2019