

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.10639 & 8575 of 2019
and
W.M.P.No.11113 of 2019

A.Anwar Ali ... Petitioner in WP.No.10639/2019

S.Senthur Pari ... Petitioner in WP.No.8575/2019

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600004.
2. The Assistant Inspector General of Registration,
Sub Registrar Office Complex,
Gindy Industrial Estate,
Gindy, Chennai.
3. The Sub-Registrar,
Office of the Sub Registrar,
Kamaraj Avenue, 2nd Street,
Adyar,
Chennai - 600020. ... Respondents in WP.No.10639/2019
1. 1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600004.
2. The Sub-Registrar,
Office of the Sub Registrar,
Kamaraj Avenue, 2nd Street,
Adyar,
Chennai - 600020. ... Respondents in WP.No.8575/2019

Prayer in WP.No.10639/2019 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the enquiry notice-2 dated Nil on the file the 3rd respondent and

quash the same and further direct the said respondent to release and deliver the original registered sale deed document pending No.P/Adyar/52/2019 dated 01.03.2019 to the petitioner.

Prayer in WP.No.8575/2019 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to release and deliver the original registered sale deed document No.P/Adyar/51/2019 dated 01.03.2019 to the petitioner.

For Petitioners : Mr.R.Viduthalai
Senior Counsel for
Mr.D.Veerasekaran
(in both WPs)

For Respondents : Mr.P.P.Purushothaman
Government Advocate
(in both WPs)

C O M M O N O R D E R

W.P.No.8575 of 2019 is filed for a Mandamus, directing the 2nd respondent to release and deliver the original registered sale deed document No.P/Adyar/51/2019 dated 01.03.2019 to the petitioner.

2. W.P.No.10639 of 2019 is filed challenging the enquiry notice issued by the 3rd respondent, calling upon the petitioner to appear for an enquiry on 02.04.2019 in respect of the sale deeds with pending document No.P49/2019, P50/2019, P51/2019 & P52/2019.

3. The petitioners in both the writ petitions are different persons. However, in both the writ petitions, the Registering Authority viz., the Sub-Registrar is one and the same.

4. Heard Mr.R.Viduthalai, learned Senior Counsel for Mr.D.Veerasekaran appearing for the petitioners in both the writ petitions and Mr.P.P.Purushothaman, learned Government Advocate appearing for the respondents in both the writ petitions.

5. Insofar as W.P.No.8575 of 2019 is concerned, the grievance of the petitioner is that the 2nd respondent having received the document for registration, is not justified in retaining the same by granting only pending document number, without completing the registration of the said document and

returning the same to the petitioner.

6. Insofar as W.P.No.10639 of 2019 is concerned, the grievance of the petitioner, therein, is that the impugned notice of enquiry is totally unwarranted, since the petitioner presented those sale deeds for registration and therefore, it is for the Registering Authority to register the same and return in the absence of any valid reasons for retaining such documents.

7. The learned Senior Counsel for the petitioners therefore, contended that the Sub-Registrar may be directed to return the documents after registering the same to the respective petitioners.

8. On the other hand learned Government Advocate for the respondents submitted that an enquiry has been conducted in pursuant to a complaint made by one K.Sakthikannan and therefore, the officers will pass appropriate orders within a short time.

9. It is seen that in pursuant to a complaint made by one K.Sakthikannan, the Sub-Registrar seems to have issued a notice of enquiry to the petitioner in W.P.No.10639 of 2019 and consequently, conducted an enquiry in respect of all the documents which are subject matter in these writ petitions. Since it is stated that the Sub-Registrar has completed the enquiry, he has to pass appropriate orders without loss of further time.

10. Therefore, these Writ Petitions are disposed of, without expressing any view on the merits of the matter, only with a direction to the Sub-Registrar, Adyar, Chennai-20, who is the second respondent in W.P.No.8575 of 2019 and third respondent in W.P.No.10639 of 2019 to pass orders on the subject matter documents within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sni

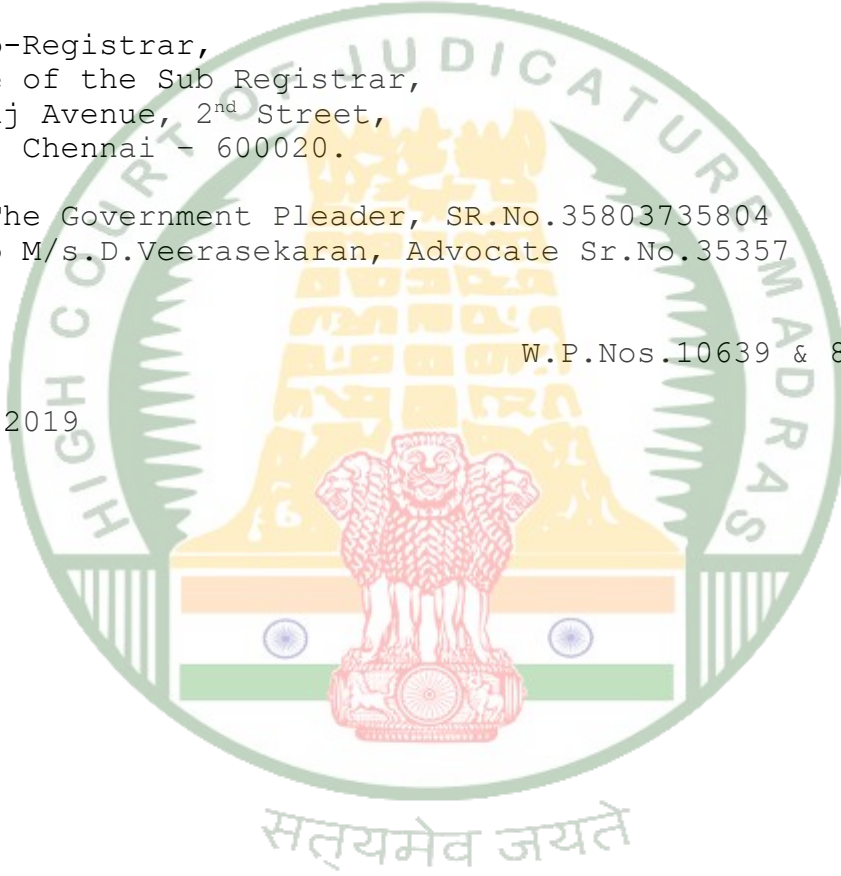
To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600004.
2. The Assistant Inspector General of Registration,
Sub Registrar Office Complex,
Gindy Industrial Estate,
Gindy, Chennai.
3. The Sub-Registrar,
Office of the Sub Registrar,
Kamaraj Avenue, 2nd Street,
Adyar, Chennai - 600020.

+1 cc to The Government Pleader, SR.No.35803735804
+2 cc's to M/s.D.Veerasekaran, Advocate Sr.No.35357

W.P.Nos.10639 & 8575 of 2019

RJ(CO)
CSL/12.04.2019



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