

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.23410 of 2018

M/s.Aristic Art Forum Private Limited,
Rep. by its authorised signatory,
A.Mohan,
5, Ankur Plaza, GN Chetty Road,
T.Nagar, Chennai - 17.

... Petitioner

Vs.

The Sub-Registrar,
Office of the Sub-Registrar,
T.Nagar,
Chennai - 600 017.

... Respondent

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the proceedings in En 417/2018 dated 23.08.2018 on the file of the respondent, and to quash the same as illegal and without jurisdiction, and to consequently direct the respondent to register the document presented for registration by Mr.A.Mohan, P.Ramesh and B.Umesh titled "affidavit".

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.T.M.Pappiah

Special Government Pleader

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O R D E R

The Writ Petition is filed challenging the proceedings in En 417/2018 dated 23.08.2018 on the file of the respondent and quash the same and consequently direct the respondent to register the document sought to be registered as an "affidavit".

2. Originally, a partnership Firm has been formed and after dissolving now it is converted into a Private Limited Company. The Bank officials requested the petitioner to

execute an affidavit setting out the devolution of title of a property and have the same registered with the respondent in order to avoid unnecessary complications. But the said affidavit seems to have been sent by post. Hence, the impugned order has been passed stating that without the deponent being present, the affidavit cannot be registered.

3. Heard, the learned counsels appearing on both sides.

4. The learned Special Government Pleader appearing for the respondent stated that the document will be considered for registration provided the deponent appears in person. Accordingly, the petitioner is directed to appear before the registering authority, namely, the respondent herein, on a date that may be fixed and present the document. If the same is otherwise in order, the respondent is directed to register the same. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rsi
To

The Sub-Registrar,
Office of the Sub-Registrar,
T.Nagar,
Chennai - 600 017.

+1cc to Mr.V.Raghavachari , Advocate SR.No. 6292
+1 CC TO GOVERNMENT PLEADER SR.NO. 6949

A.SK(27/02/2019)

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