

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2019

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.27333 of 2019

1.Chandra Baha
2.Rukmani
3.Kiran
4.Kishore
5.Parvathi
6.Pratap

... Petitioners

/versus/

The Sub Registrar,
Mylapore, Chennai -28.

... Respondent

Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondent to register the rectification deed prepared in September 2018 and submitted on 03.01.2019 in Temporary No.TP/53505477/2019 and return the same to the petitioner.

For Petitioner : Mr.G.Appavu

For Respondent : Mr.M.Thamizharasan, GA

O R D E R

By consent, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.G.Appavu, learned counsel appearing for the petitioner and Mr.M.Thamizharasan, learned Government Advocate, who takes notice for the respondent.

3.The prayer in the writ petition is to issue a Writ of Mandamus directing the respondent to register the rectification deed prepared in September 2018 and submitted on 03.01.2019 in Temporary No.TP/53505477/2019 and return the same to the petitioner.

4.The grievance of the petitioner is that due to typographical error in mentioning the survey number while registering their sale deed, later they sought for rectification

of the error by presenting rectification deed after getting prior appointment through on-line. However, the respondent/Sub Registrar, Mylapore refused to receive the document, when presented for registration.

5.The learned Government Advocate appearing for the respondent would state that the petitioners obtained prior appointment through on-line for presentation of document on 07.01.2019 between 05.00p.m. and 05.30 p.m but they did not appear in person and presented the document to be registered along with the supporting records.

6.Thus, there is a disputed fact whether or not the petitioners appeared before the Sub Registrar and presented their document as per their appointment. Hence, this Court is not in a position to entertain this writ petition. However, it is open to the petitioner herein to get fresh appointment and be present on th date of appointment with rectification deed and other necessary documents for registration of the rectification deed. If such document is presented, the Sub Registrar shall entertain the same and pass order appropriately.

7. Accordingly, this Writ Petition is disposed of. No costs.
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Sd/-
Assistant Registrar(CS III)
//True Copy//
Sub Assistant Registrar

To
1. The Sub Registrar, Mylapore,
Chennai -28.

+1cc to Mr.G.Appavu, Advocate, SR.No.78740
+1cc to the Govt.Pleader, Vide Sr.No.79704

W.P.No.27333 of 2019

Kak(23/10/2019)

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