

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :10.01.2019

CORAM
THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.31147 of 2018
and
W.M.P.No.36343 of 2018

P.Shafeeulla

.. Petitioner

versus

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.
2. The District Registrar,
District Registrar Office,
Vellore District, Vellore.
3. The Sub Registrar,
Ambur, Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records from the third respondent in Proceedings No.RFL/Ambur/10/2018 and quashing the rejection order dated 24.05.2018 as unconstitutional, arbitrary, ultra vires against provisions of law and principles of natural justice and further direct the respondents to receive the registration fees from the petitioner in respect of the deed of rectification dated 27.04.2018 presented on 24.05.2018 before the third respondent and complete the registration formalities and release the said document to the petitioner forthwith.

For Petitioner : Mr.S.L.Sudarsanam

For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

The petitioner has filed this writ petition challenging the order of the third respondent in Proceedings No.RFL/Ambur/10/2018 dated 24.05.2018 and to direct the

respondents to receive the registration fees from him in respect of the deed of rectification dated 27.04.2018 presented on 24.05.2018 before the third respondent and complete the registration formalities and release the said document to him forthwith.

2. Originally, in S.No.157 comprised of 1.59 acres and S.No.158/4 comprised of 2.25 acres, the petitioner has purchased a portion of the same from one K.S.Ibrahim Sha represented by Power Agent. From the date of purchase, the petitioner has been in possession of the property. When the petitioner approached the Tahsildar, Ambur for mutation of the revenue records, it was found that there was an error in the schedule of property in the sale deed pertaining to the Survey Number, boundaries and measurements. Hence, the petitioner approached the third respondent for registration of the Rectification Deed dated 27.04.2018. However, the same was rejected by the third respondent vide Proceedings No.RFL/Ambur/10/2018 dated 24.05.2018 stating that the power of attorney is sought to be rectified.

3. Heard, Mr.S.L.Sudarsanam, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents.

4. It is clarified, what is sought to be rectified is only the Sale Deed and not the Power Deed. The learned Special Government Pleader appearing for the respondents also fairly conceded that if it is only for sale deed, the same would be carried on, on payment of necessary stamp duty for the Rectification Deed.

5. Accordingly, the third respondent is directed to accept the stamp duty and register the rectification deed dated 27.04.2018 within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY
Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rsi

To

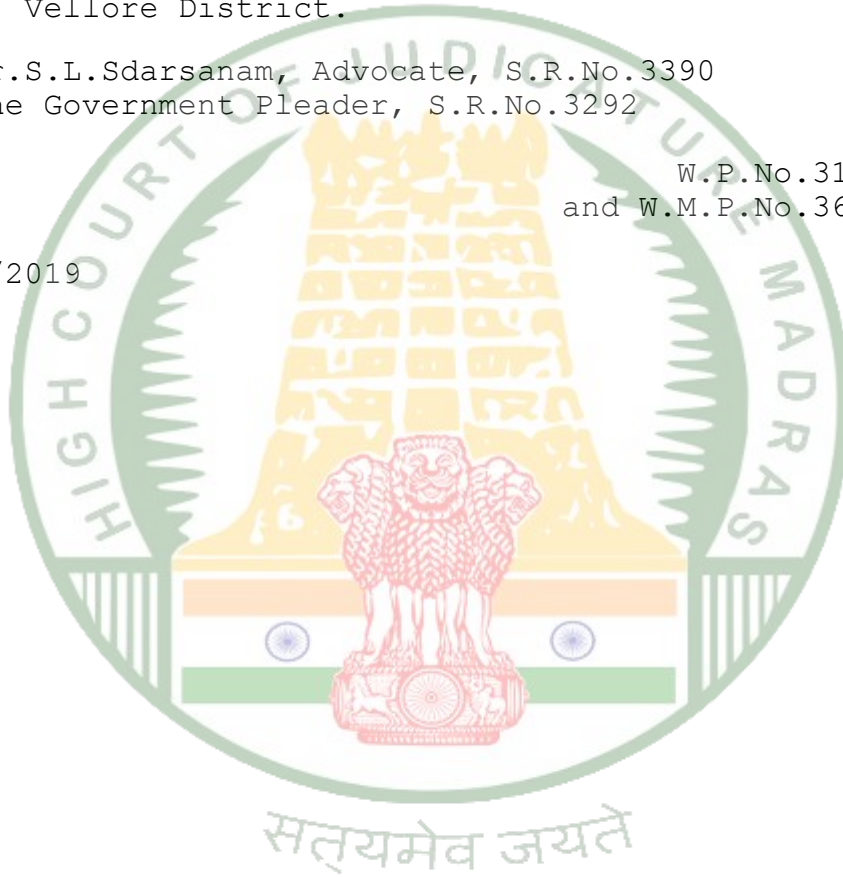
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2. The District Registrar,
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3. The Sub Registrar,
Ambur, Vellore District.

+lcc to Mr.S.L.Sdarsanam, Advocate, S.R.No.3390

+lcc to the Government Pleader, S.R.No.3292

W.P.No.31147 of 2018
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rrs 11/02/2019



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