

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2019

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.33039 of 2018

S.Sivaprakash

.. Petitioner

Vs.

1. The Inspector General of Registration,
Mylapore,
Chennai.

2. The Sub Registrar,
Punjai Puliyampatti,
Sub Registrar Office,
Sathyamangalam,
Erode 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 relating to the order passed by the 2nd respondent in Check Memo No.4/2018 dated 23.11.2018 and quash the same and further direct the 2nd respondent to register the settlement deed executed by the petitioner dated 23.04.2018 within a stipulated period as fixed by this Hon'ble Court.

For Petitioner : Mr.S.Parthasarathy

For Respondents : Mr.T.M.Pappiah

Special Govt. Pleader

ORDER

The prayer sought for in this Writ Petition is for the issuance of a Writ of Certiorarified Mandamus, to quash the records relating to the order passed by the 2nd respondent in Check Memo No.4/2018 dated 23.11.2018 and to direct the 2nd respondent to register the settlement deed executed by the petitioner dated 23.04.2018.

2. Heard Mr.S.Parthasarathy, learned Counsel appearing for the petitioner and Mr.M.Thamizharasan, learned Government Advocate appearing for the respondents.

3. The petitioner attempted to register a Settlement Deed. As there was an encumbrance reflecting that there was an agreement registered as Document No.6737 of 2010, the registration was refused. Earlier, the petitioner filed a Writ Petition in WP No.15545 of 2018, wherein, this Court had directed to issue notice to the agreement holder. It is now stated that the notice was issued and the same was also received by the agreement holder and he has not responded. Hence, again the settlement deed was presented for registration and the respondents have rejected the document on the ground that the parent deed has not been produced and earlier agreement is also not produced.

4. The learned counsel for the respondents states that if the original sale deed i.e., parent document is produced, the registration of the settlement deed can be completed. Accordingly, the petitioner is directed to produce the parent document in original before the respondents and only after such production, the registration can be done.

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

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Inspector General of Registration,
Mylapore, Chennai.

2. The Sub Registrar,
Punjai Puliyampatti,
Sub Registrar Office,
Sathyamangalam,
Erode District.

+1cc to Mr.S.Parthsarathy , Advocate SR.No. 7106
+1 CC TO GOVERNMENT PLEADER SR.NO. 6950

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A.SK(25/03/2019)