



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.2575 of 2018

Ramakrishnan

... Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai - 600 028.

2.The Sub Registrar,
Sub Registrar Office,
Thamaraipatti,
(situated at Chittampatti)
Melur Taluk,
Madurai District.

3.The Office Liquidator,
High Court of Madras as the
Provisional Liquidator of
M/s. Sterling Tree Magnum (India) Limited,
Corporate Bhavan, 2nd Floor,
29, Rajaji Salai,
Chennai- 600 001.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records issued by the second respondent pertaining to the impugned Check Slip No.1/2018 dated 19.01.2018 in respect of the property pertaining to Plot No.69, in Survey No.22/3B, situated at Ayuthampatti Village, Melur Taluk, Madurai District and quash the same and consequently direct the second respondent herein to register the above said memorandum of deposit of title deeds of the petitioner by removing the encumbrances recorded in the encumbrance column in respect of the above said property.

For Petitioner

: Mr.R.Suresh Kumar

For R1 and R2

: Mr.M.Murugan
Government Advocate

**ORDER**

Heard the learned counsel on either side.

2. The petitioner has purchased the petition mentioned property in the year 2001 vide document No.673/2001. The petitioner wanted to avail loan by mortgaging the said property. When the petitioner wanted to register the memorandum of deposit of title deeds, the second respondent declined to receive the same and issued the impugned check slip. The said check slip is assailed in this writ petition.

3. When the matter was taken up for hearing, the learned Government Advocate appearing for respondents 1 and 2 stated that the second respondent could not register the document only because of the circular issued by the first respondent. The first respondent's circular in turn refers to an order dated 11.02.2014 made in Company Petition No.73 of 2000. Today (21.03.2019), the order dated 11.02.2014 made in Company Petition No.73 of 2000 was produced and it was also pointed out that the company petition itself has been closed on 20.03.2018.

4. Therefore, I am of the view that there cannot be any impediment for registering the subject document. The Check Slip impugned in this writ petition is quashed. The second respondent is directed to register the memorandum of deposit of title deeds of the petitioner.

5. Accordingly, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Inspector General of Registration,
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Chennai - 600 028.

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(situated at Chittampatti)
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1CC TO MR. R. SURESH KUMAR ADVOCATE SR 55913
1CC TO THE SPL GOVT PLEADER SR 55925

KK
10/04/2019
3P 6C

W.P. (MD) No. 2575 of 2018

21.03.2019