



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD) No.18931 of 2019

M.Sunithakumari,
Rep. by Power of Attorney,
K.M.C.Stephenson,
S/o.M.Sebastin,
Annai Mary Paradise,
Kumarapuram Village and Post,
Kanyakumari District - 629 164.

... Petitioner

vs.

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Mullima Nagar,Mandavelipakkam,
Raja Annamalai Puram, Chennai - 600 028.

2.The District Registrar,
O/o.The District Registrar,
Nagercoil, Kanyakumari District.

3.The Sub-Registrar,
O/o.The Sub Registrar,
Thuckalay - 629 175,
Kanyakumari District.

... Respondents

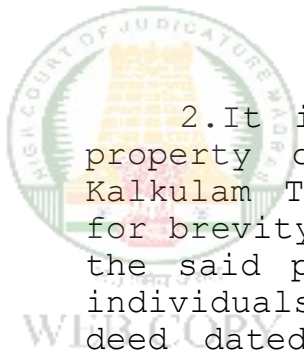
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the third respondent to register the sale deed in TP/70157956/2019 within the time stipulated by this Court.

For Petitioner : Mr.S.S.Sundara Pandian
for Ms.S.Louis

For Respondents : Mr.V.Anand, Government Advocate.

ORDER

Mr.S.S.Sundara Pandian, learned counsel on record for writ petitioner and Mr.V.Anand, learned Government Advocate on behalf of all three respondents are before this Court.



2.It is the case of writ petitioner that she owns immovable property comprised in Survey No.403/10 in Kumarapuram Village, Kalkulam Taluk, Kanyakumari District (hereinafter 'said property' for brevity); that writ petitioner commenced the exercise of selling the said property by execution of a sale deed in favour of some individuals who agreed to purchase the property; that a draft sale deed dated 16.08.2019 was uploaded in the official website for registration in the office of the third respondent (jurisdictional Sub-Registrar Office); that TP / 70157956 / 2019 was a number vide which a draft sale deed was uploaded; that the third respondent is refusing to register the sale deed. On this basis, instant Writ Petition has been filed with a prayer to Mandamus the first respondent to register the draft sale deed.

3.Learned State counsel, who has accepted notice of behalf of all the respondents, on instructions, submitted that uploading the draft sale deed is only the first step and thereafter a series of steps, such as uploading title deeds ie., predecessor title deeds, other supporting documents etc., have to be followed and after scrutiny if the documents are in order, writ petitioner will be given the option to choose a date and time for presenting the document in person physically in the office of the third respondent.

4.Learned State counsel submits that writ petitioner has not moved to the next step after uploading the draft sale deed and therefore, instant writ petition is clearly pre-mature.

5.Learned counsel for writ petitioner is not in a position to demonstrate that anything further was done after uploading the draft sale deed vide TP / 70157956 / 2019. Therefore it emerges clearly that Writ Petition is pre-mature.

6.Therefore, this Court deems it appropriate to dismiss the Writ Petition holding that it is pre-mature, but preserving the rights of the writ petitioner to pursue the uploaded sale deed further and seek legal remedy if there is rejection qua registration of the sale deed.

7.Instant Writ Petition is dismissed preserving the writ petitioner in the aforesaid manner. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar



To

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O/o.The Inspector General of Registration,
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Mandavelipakkam,
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3.The Sub-Registrar,
O/o.The Sub Registrar,
Thuckalay - 629 175,
Kanyakumari District.

+1 CC to M/s.GP (SR-85910[F] dated 09/09/2019)

+1 CC to M/s.S. LOUIS, Advocate (SR-86229[F] dated 10/09/2019

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PS
MS/19.09.2019/3P.6C