



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P. (MD) No. 19436 of 2019

WEB COPY

T. Tamilselvan

... Petitioner

/Vs./

1. The District Registrar,
Registration Department,
Ariyalur.

2. The Sub-Registrar,
Chettikulam,
Trichirapalli District.

3. The Tahsildar,
Lalkudi Taluk,
Trichy District.

... Respondents

(R3 is *suo motu* impleaded as third respondent
vide order of this Court dated 17.09.2019)

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to return the petitioner's registered sale deed bearing registration No.P/Chettikulam/20/2019 dated 19.08.2019 within a stipulated time as prescribed by this Court within a stipulated time.

For Petitioner	: Mr.A.Chandrakumar
For Respondents	: Mr.V.Anand (for R1 & R2)
	Government Advocate
	Mr.Aayiram K.Selvakumar (for R3)
	Additional Government Pleader
	(<i>suo motu</i> impleaded)

ORDER

Mr.A.Chandrakumar, learned counsel on record for writ petitioner, Mr.V.Anand, learned Government Advocate, who accepts notice on behalf of respondents 1 and 2 and Mr.Aayiram K.Selvakumar, who accepts notice on behalf of the third respondent (impleaded *suo motu*) are before this Court.

2. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.



3. Subject matter of instant writ petition is a 'sale deed dated 19.08.2019 executed by one Kanakambal (vendor) to and in favour of the writ petitioner (vendee)' (hereinafter referred to as 'said sale deed' for the sake of brevity). The said sale deed was presented for registration in the office of the second respondent and second respondent, after processing the document presented for registration, has issued a receipt, wherein it is mentioned that the said sale deed will be handed over to the writ petitioner (vendee) after verification with the jurisdictional Tahsildar.

4. To be noted, there is a mention about valuation in this receipt, but in the hearing, it is made clear that there is no dispute or disagreement with regard to the valuation.

5. In the hearing, learned State counsel submits that subject matter of sale deed is land comprised Survey No.18/13 in Periyakurukkai Village, Lalkudi Taluk, Chettikulam Sub Registration District, Ariyalur Registration District, Trichy District. It is submitted that said land does not find place in the register maintained in the office of the second respondent or in other words, said Survey Number does not find place in the register maintained in the office of the second respondent. Saying so, learned State counsel submits that second respondent has written to the jurisdictional Tahsildar namely, Tahsildar, Lalkudi seeking clarification in this regard. It is submitted that second respondent has written a 'communication dated 26.08.2019 bearing reference No.129/2019' (hereinafter referred to as 'aforesaid communication' for the sake of brevity) and learned State counsel submits that on receipt of clarification, the needful will be done depending on the clarification.

6. To be noted, learned counsel for the writ petitioner drawing attention of this Court to the patta and Grama Kanakku (Village Account) submits that Survey No.18/13 referred to supra does find place in the patta as well as village account and that also reflects the name of writ petitioner's vendor Kanakambal.

7. The jurisdictional Tahsildar, namely Tahsildar, Lalkudi Taluk, Trichy District, is *suo motu* impleaded as third respondent in instant writ petition. The third respondent shall respond to the aforesaid communication of the second respondent Sub Registrar within three weeks from the date of receipt of a copy of this order and second respondent Sub Registrar shall either return the document or pass suitable orders depending on the response of the jurisdictional Tahsildar within three weeks therefrom.



8. With the above directions, instant Writ Petition is disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

Sub Assistant Registrar (CS)

rmk

To

1. The District Registrar,
Registration Department,
Ariyalur.

2. The Sub-Registrar,
Chettikulam,
Trichirapalli District.

3. The Tahsildar,
Lalkudi Taluk,
Trichy District.

+1 CC to M/s.A.CHANDRAKUMAR, Advocate (SR-87456[F] dated 18/09/2019)

+1 CC to M/s.SPL GP (SR-87984[F] dated 19/09/2019)

Order made in
W.P. (MD) No.19436 of 2019
17.09.2019

KM/(18.10.2019) 3P 6C