

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.15933 of 2013
and M.P.No.1 of 2013

K.Veeraraghavan

... Petitioner

Vs.

1.The Sub Registrar,
Thirukazhukundram,
Thirukazhukundram Taluk,
Kancheepuram District.

2.The Commissioner cum Executive Officer,
Thirukazhukundram Panchayat,
Thirukazhukundram,
Kancheepuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondent to register the Sale Deed dated 16.06.2006 executed in favour of the petitioner in respect of the premises having Old Survey No.29/1, New Survey No.29/11A admeasuring about 53,266 $\frac{1}{4}$ sq.ft., situated at No.42, Sanadi Veedhi, Thirukazhukundram Village, Thirukazhukundram Taluk, Kancheepuram District and another property Old Survey No.29A/1, New Survey No.29/27A admeasuring about 3,052 sq.ft., situated at No.42, Sanadi Veedhi, Thirukazhukundram Village, Thirukazhukundram Taluk, Kancheepuram District.

For Petitioner : Mr.T.R.Rajagopalan, Senior Counsel

for Mr.R.Anandha Babu

For Respondents: Mr.P.P.Purushothaman,

Government Advocate (R1)

Mr.E.M.S.Natarajan (R2)

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondent to register the Sale Deed dated 16.06.2006 executed in favour of the petitioner in respect of the premises having Old Survey No.29/1, New Survey No.29/11A admeasuring about 53,266 $\frac{1}{4}$

sq.ft., situated at No.42, Sanadi Veedhi, Thirukazhukundram Village, Thirukazhukundram Taluk, Kancheepuram District and another property Old Survey No.29A/1, New Survey No.29/27A admeasuring about 3,052 sq.ft., situated at No.42, Sanadi Veedhi, Thirukazhukundram Village, Thirukazhukundram Taluk, Kancheepuram District.

2.Mr.T.R.Rajagopalan, learned Senior Counsel appearing for the petitioner submitted that the petitioner presented the Sale Deed dated 04.04.2006 for registration before the 1st respondent, however, the 1st respondent refused to register the document and passed an order on 23.08.2010 to that effect.

3.On a perusal of the order dated 23.08.2010, it could be seen that the petitioner was given 30 days time for filing an appeal, if he is aggrieved over the order, before the District Registrar, Chengalpet.

4.The learned Senior Counsel appearing for the petitioner submitted that the petitioner had filed an appeal before the District Registrar within the period of limitation, however, the District Registrar returned the papers on 24.09.2020 for want of compliance and that the petitioner re-presented the appeal papers on 18.10.2010 by complying with the queries raised by the District Registrar. Further, the learned Senior Counsel submitted that though the petitioner had complied with the queries raised by the District Registrar on 24.09.2010, the District Registrar has not taken the appeal on file.

5.Mr.P.P.Purushothaman, learned Government Advocate submitted that in the event of the petitioner re-presenting the appeal papers within a week's time, the District Registrar, Chengalpet, may be directed to take the appeal on file and dispose of the same in accordance with law.

6.Having regard to the submissions made by the learned counsel on either side, taking into consideration that the petitioner had already presented the appeal within the period of limitation before the District Registrar, Chengalpet, I grant two weeks time to the petitioner to re-present the appeal papers before the District Registrar, Chengalpet, from the date of receipt of a copy of this order and if the papers are in order, the District Registrar, Chengalpet, shall take the same on file and dispose of the appeal, on merits and in accordance with law, within a period of twelve weeks from the date of re-presentation of the appeal papers, after giving notice to all the interested parties, including the Temple, under Section 22-A of the Tamil Nadu Registration Act.

7.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Sub Registrar,
Thirukazhukundram,
Thirukazhukundram Taluk,
Kancheepuram District.
 - 2.The Commissioner cum Executive Officer,
Thirukazhukundram Panchayat,
Thirukazhukundram,
Kancheepuram District.
 - 3.The District Registrar
Chengalpet.
- +1 cc to Government Pleader,sr.32168
+5 cc's to Mr.R.Anandhababu, Advocate,sr.31837.

Ajs(co)
krd 28/10

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सत्यमेव जयते

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