

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.9667 of 2019

1.K.S. Meena
2.Uma Ramesh

... Petitioners

Vs.

The State represented by its:

1.The District Registrar Officer,
Kutchery Road,
Mayiladuthirai - 609 001
Nagapattinam District.

2.The Sub-Registrar,
O/o. The Sub-Registrar Office,
Nannilam - 610 105,
Thiruvarur District.

3.The Chief Manager,
Bank of Maharashtra,
Asset Recovery Branch,
No.4, Shivagnanam Road,
T.Nagar, Chennai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondents to take appropriate action to extend the registration period in the sale certificate and consecutively register the property in our name, which is situated at plot No.8 & 9, joint property, comprised in Survey No.46-4A, Nannilam, Thiruvarur District.

For Petitioners : Mr. Dr.S. Manoharan

For Respondents : Mr. T.M. Pappiah, for R1 & R2
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the second respondent to register the sale certificate which has been issued in favour of the petitioners.

2. The case of the petitioners is that the third respondent-bank had executed a sale certificate in their favour on 11.12.2017. The grievance of the petitioners is that when the sale certificate was presented for registration, the second respondent had insisted for production of patta and thereby the registration was repeatedly postponed. Left with no other option, the present writ petition has been filed before this Court.

3. The learned Special Government Pleader appearing on behalf of the respondents 1 and 2 submitted that the petitioners have not even presented the sale certificate for registration and only if the same is presented, the second respondent can take a decision with regard to the registration of the sale certificate.

4. In view of the above stand taken by the second respondent, there shall be a direction to the petitioners to present the sale certificate before the second respondent and the second respondent shall deal with the same in accordance with law and appropriate action shall be taken, within a period of two weeks from the date on which the sale certificate is presented for registration by the petitioners.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-

सत्यमेव जयते Assistant Registrar

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Sub Assistant Registrar

AT

To

1.The District Registrar Officer,
Kutchery Road,
Mayiladuthirai - 609 001
Nagapattinam District.

2.The Sub-Registrar,
O/o. The Sub-Registrar Office,
Nannilam - 610 105,
Thiruvarur District.

+1cc to Dr.S.Manoharan, Advocate, Sr.No.18930

+1cc to Government Pleader, Sr.No.19292

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GS(26/05/2020)



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