

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.4930 of 2020
and
WMP No.5838 of 2020

Nila Amalavathy

..Petitioner

-Vs-

1. The Sub-Registrar,
Oulgaret, Uzhavarkarai,
Puducherry.
 2. Estate of Late Mrs.Padmini Chandrasekaran,
Rep. by its Executor,
Dr.H.B.N. Shetty, IAS (Retired)
S/o. Mahabala Shetty
No.21/10, Armenian Street, Chennai - 600 001.
 3. N.Selvarajalu Chetty Trust,
Rep. Co-Trustee,
Mr.M.Kalyanam,
No.21/10, Armenian Street,
Chennai - 600 001.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to complete the process of registration of the Sale Deed Dated 17.09.2019 vide pending No.0/B/497 and to release the same to this petitioner forthwith.

For Petitioner : Mr.V.Manohar
For R 1 : Mr.T.M.Pappiah
Special Government Pleader

For R 2 & R 3 : Mr.P.Chandrasekar

ORDER

This writ petition has been filed for a direction to the 1st respondent to register the Sale Deed presented by the petitioner on 17.09.2019 and to release the same.

2.The case of the petitioner is that the petitioner became the absolute owner of the property by virtue of a comprise entered into between the petitioner and the 3rd respondent Trust, which was recorded by an order dated 29.01.2016. The petitioner paid the entire sale consideration and the sale deed came to be executed in favour of the petitioner on 17.09.2019 and it was presented for registration before the 1st respondent. The grievance of the petitioner is that the sale deed is kept as a pending document and it has not been registered and released to the petitioner.

3.Heard Mr.V.Manohar, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for R 1 and Mr.P.Chandrasekar, learned counsel appearing on behalf of the respondents 2 & 3.

4.The issue involved in the present case is covered by a series of orders passed by this Court in various writ petitions. One such common order was passed in W.P.No.12330 of 2007 and WP.No.36622 of 2006, dated 15.12.2008. This order squarely covers the issue on hand and this Court has no hesitation to give appropriate directions as prayed for by the petitioner.

5.In the result, this writ petition is allowed and the 1st respondent is directed to register the sale deed dated 17.09.2019, on payment of the appropriate duty and release the document immediately after registration to the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP
To

1. The Sub-Registrar,
Oulgaret, Uzhavarkarai,
Puducherry.

W.P.No.4930 of 2020

SS (CO)
CB (07/08/2020)

<https://hcservices.ecourts.gov.in/hcservices/>