

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.8022 of 2020

S.Stella

Petitioner

vs.

1. The Inspector General of Registration,
Santhome Salai,
Mandaveli,
Chennai - 600 028.
2. The District Registrar (Admin),
South Chennai,
Guindy Industrial Estate,
Chennai - 600 032.
3. The Sub-Registrar,
Velachery S.R.O,
Velachery,
Chennai - 42.
4. C.Jayaraman
5. M.V.Venkatachalam
6. V.Rajkumar

Respondents

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to consider the representation submitted by the petitioner dated 15.02.2020 and consequentially by way of direction directing 3rd respondent not to entertain any kind of application such as Sale Deed, General Power of Attorney or any other form of conveyance in favour of third parties pertaining to comprised in Survey No..179, Plot No.4,4A and 5, situated at Madipakkam Village, Puzhuthivakkam, Eswaran Kovil Street, Madipakkam, Chennai - 91, morefully described in the petition.

For Petitioner : Mr.T.Ramachandran

For Respondents: Mr.T.M.Pappiah
Special Government Pleader
for R1 to R3

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 3rd respondent not to entertain any documents that is submitted for registration by respondents 4 to 6.

2.The above writ petition has been filed seeking for the said relief on the ground that the petitioner is the absolute owner of the property and she has purchased the property by virtue of a sale deed dated 06.11.2019. The grievance of the petitioner is that, in spite of the property being sold to the petitioner, respondents 4 to 6 are attempting to create further alienation with regard to the same property.

3.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4.The relief as sought for by the petitioner cannot be granted by this Court, since a writ of mandamus cannot be issued restraining an authority from performing a statutory duty. At the best, the petitioner can only submit a protest petition along with all supporting documents and pay the necessary fees and the 3rd respondent can consider the same before entertaining any document for registration from the private respondents with regard to the subject property. Except giving this liberty, no further directions can be issued by this Court.

5.This writ petition is disposed of accordingly. No Costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector General of Registration,
Santhome Salai,
Mandaveli,
Chennai - 600 028.

2. The District Registrar (Admin),
South Chennai,
Guindy Industrial Estate,
Chennai - 600 032.

3. The Sub-Registrar,
Velachery S.R.O,
Velachery,
Chennai - 42.

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BR (CO)
GN (29/07/2020)



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