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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.7928 OF 2020

N.Kanagaraj

... Petitioner

Vs.

1. The District Registrar,
Tiruppur District,
Tiruppur.
2. The Sub Registrar,
Palladam,
Tiruppur District.
3. The Inspector of Police,
Vigilance and Anti Corruption,
Tiruppur District.

... Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorarified Mandamus, calling for the records relating to the order made in Refusal Check Slip No.RFL/Palladam/33/2019 dated 09.09.2019 passed by the second respondent, quash the same and consequently direct the respondents 1 and 2 to register the deposit of title deed dated 06.08.2019 presented by the petitioner for compulsory registration in accordance with the provisions of the Indian Registration Act, 1908.

For Petitioner : Mr.A.Saravanan

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

: Mr.E.Balamurugan
Special Government Pleader for R3



O R D E R

On the consent given by both sides, the main writ petition has been taken up for final disposal.

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2. This writ petition has been filed challenging the refusal check slip issued by the second respondent on 09.09.2019 and for a consequential direction to the first and second respondents to register the document and hand over the same to the petitioner. The case of the petitioner is that he had purchased an extent of 1500 Sq.ft, bearing site No.57 comprised in S.No.42, Naaranapuram Village, Palladam Taluk, Tiruppur District, by virtue of a registered sale deed dated 06.02.2014. The petitioner wanted to develop the property and therefore, he wanted to avail loan facility from the financial institutions. According to the petitioner, the loan was sanctioned and the petitioner has also deposited his original title deed with the institution. When the memorandum of deposit of title deed was presented for registration, the second respondent refused to register the document on the ground that a criminal investigation is pending and it is being enquired by the third respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

3. Heard Mr.A.Saravanan, learned counsel for the petitioner, Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the first and second respondents and Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the third respondent.

4. Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the first and second respondents submitted that the document is kept pending, awaiting the outcome of the enquiry conducted by the third respondent / police and if the outcome of enquiry is positive, some time can be granted for the registration and handing over of the document to the petitioner.

5. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the third respondent submitted that the enquiry has been completed and departmental action is going to be initiated upon some officials and approval is pending. The learned counsel further submitted that the enquiry has been completed on the file of the third respondent.

6. In view of the specific stand taken by the respondents, there shall be a direction to the second respondent to register the document submitted by the petitioner and in the meantime, the third respondent shall intimate the completion of the enquiry to the second respondent. On receipt of the intimation



from the third respondent, the document shall be handed over to the petitioner. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(MD)

//True Copy//

Sub Assistant Registrar

kv

To

1. The District Registrar,
Tiruppur District,
Tiruppur.
2. The Sub Registrar,
Palladam,
Tiruppur District.
3. The Inspector of Police,
Vigilance and Anti Corruption,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.

W.P.No.7928 of 2020

PM(CO)
CS/13/07/2020