

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.9056 of 2020 and
WMP.No.11020 of 2020

Senniyappan

Petitioner

vs.

The Sub-Registrar,
Sub-Registrar Office,
Avinashi,
Tiruppur District.

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to number the registered Doc.No.P/Avanishi/27/2020 dated 05.03.2020 and release the same within a specific time frame as fixed by this Court.

For Petitioner : Mr.D.R.Arunkumar

For Respondent : Mr.M.Thamizharasan
Additional Government Pleader

ORDER

सत्यमेव जयते

This writ petition has been filed for the issuance of Writ of Mandamus directing the respondents to register the documents submitted by the petitioner.

2.The case of the petitioner is that he had entered into a registered agreement of sale with the vendors of the entire property covered in S.No.268/2A and S.No.268/2D in Sembianallur Village, Avinashi Taluk, Tiruppur District. A suit came to be filed in O.S.No.149/2019, on the file of Sub Court, Avinashi and a compromise decree came to be passed on 07.11.2019. According to the petitioner this compromise decree

was registered before the respondent. The further case of the petitioner is that pursuant to the compromise decree four sale deeds have been executed in favour of the petitioner and those four Sale Deeds have been registered and when the fifth sale deed was submitted for registration on 05.03.2020, which pertains to main pathway which leads to other properties and was already purchased by the petitioner, the document is kept pending without assigning any reasons. Aggrieved by the same the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.D.R.Arunkumar learned counsel appearing for the petitioner and Mr.M.Thamizharasan, learned Additional Government Pleader appearing on behalf of the respondents.

4. It is seen from the records that four earlier sale deeds which are covered in the compromise decree has already been registered by the respondent and there is no reason as to why the present Sale Deed which pertains to the pathway leading to the other four properties can be kept pending.

5. In the considered view of this Court, the respondent ought to have taken the documents on file and proceed further in accordance with law and the documents should not be kept pending for such a long time.

6. This Writ Petition is disposed of with a direction to the respondent to register the sale deed that was submitted for registration on 05.03.2020, if it is otherwise in order and the same shall be released to the petitioner, after due registration. This exercise shall be under taken immediately on receipt of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

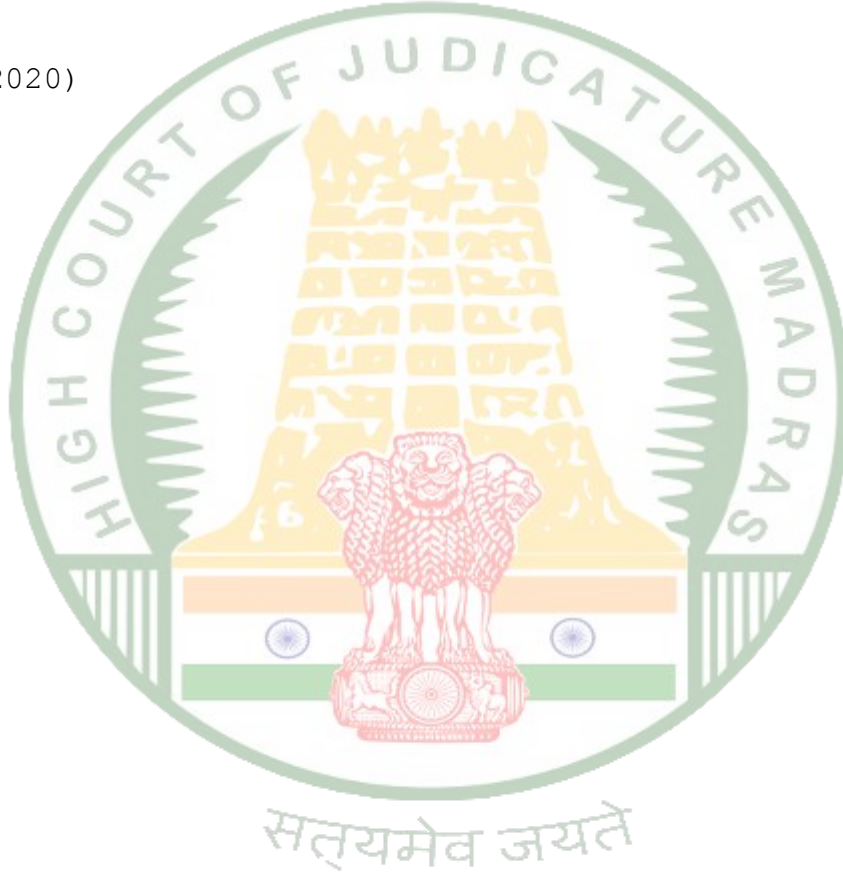
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To

The Sub-Registrar,
Sub-Registrar Office,
Avinashi,
Tiruppur District.

W.P.No.9056 of 2020

AD (CO)
GS (25/08/2020)



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