

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.13330 of 2020

T.Prasanna

...Petitioner

Vs.

1 The Sub- Registrar
Alandur S.R.O
1st Main Road, Nanganallur
Chennai -61.

2 The Special Thasildar
Alandur Municipality (Previously)
Corporation of Chennai
Alandur, Chennai - 16.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st Respondent to release the Settlement Deed Pending Document No.125 of 2018 dated 19.09.2018 submitted by the petitioner pertaining to premises bearing No.7/3, Jal Street, 1st Floor, Alandur, Chennai -16 and allot a regular number to the settlement deed and release the same in favour of petitioner.

For Petitioner	:	Mr.T.Ramachandran
For Respondent-1	:	Mr.T.M.Pappiah
		Special Government Pleader
For Respondent-2	:	Mr.E.Balamurugan
		Government Advocate

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ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first respondent to register the settlement deed dated 19.09.2018 submitted by the petitioner and to release the document.

2. The case of the petitioner is that she is the owner of the subject property by virtue of a registered sale deed dated

08.06.2006. The further case of the petitioner is that she wanted to execute a settlement deed in favour of her son and consequently, the settlement deed came to be executed on 14.09.2018. When this document was presented for registration before the first respondent, it was retained as a pending document on the ground that the first respondent wanted to get some clarity from the second respondent with regard to the patta issued in favour of the petitioner. Aggrieved by the same, the present Writ Petition has been filed before this Court.

3. The learned counsel for the petitioner, by bringing to the notice of this Court the extract from the Town Survey Land Register, submitted that the revenue records stand in the name of the petitioner and the first respondent cannot keep the document pending for ever on the ground that the genuineness of the revenue records must be verified from the second respondent. The learned counsel submitted that it is unreasonable on the part of the first respondent to keep the document pending for nearly two years.

4. Per contra, Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the first respondent submitted that some time can be granted by this Court to enable the first respondent to get necessary information from the second respondent and thereafter, the document will be dealt with in accordance with law.

5. Taking into consideration the facts and circumstances of the case and also the fact that the document has been kept as a 'pending document' for nearly two years, there shall be a direction to the first respondent to act upon the Settlement Deed dated 14.09.2018 kept as a Pending Document No.125/2018, and take necessary action within a period of two weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mra

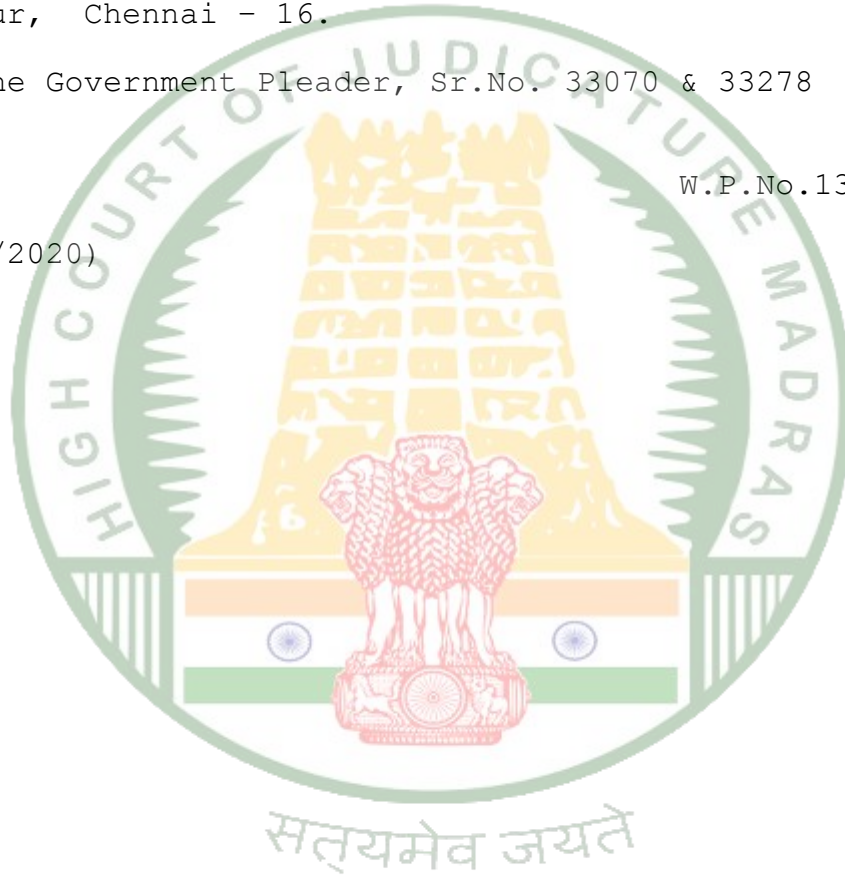
To

- 1 The Sub- Registrar
Alandur S.R.O
1st Main Road, Nanganallur
Chennai -61.
- 2 The Special Thasildar
Alandur Municipality (Previously)
Corporation of Chennai
Alandur, Chennai - 16.

+1cc to The Government Pleader, Sr.No. 33070 & 33278

W.P.No.13330 of 2020

RSV (CO)
RMP (22/10/2020)



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