

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.16150 of 2020

S.Koilraj ... Petitioner

Vs.

The Sub Registrar
(in the Cadre of District Registrar)
Anna Nagar, Chennai 600 040. ... Respondents

Prayer:-

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records which culminated in the order dated 14.10.2020 passed by the respondent and quash the same and consequently, direct the Respondent to entertain the Rectification Deed that may be presented by the petitioner for rectifying the defect in indicating his name with initial as S.Koilraj instead of N.Kovilraj in the sale deed dated 12.09.1996 registered as document No.2546 of 1996 on the file of the respondent.

For Petitioner : Mr.T.Sellapandian

For Respondents: Mr.T.M.Pappiah

Special Government Pleader

ORDER

On consent given by either side, the main Writ Petition itself is taken up for final hearing.

2. This Writ Petition is filed challenging the impugned letter issued by the respondent dated 14.10.2020, wherein the respondent had refused to register the Memorandum of Deposit of Title Deeds on the ground that there is a discrepancy in the spelling and initial of the petitioner as found in the sale deed dated 12.09.1996.

3. Heard Mr.T.Sellapandian, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader for the respondent.

4. The petitioner had purchased the subject property through a registered sale deed dated 12.09.1996. The petitioner intended to avail loan for his business purpose and he approached the concerned bank. The bank wanted the petitioner to create a mortgage by deposit of title deeds in order to grant the loan. When this document was presented before the respondent, the respondent found that the name of the petitioner has been rectified/alterd from 'N.Kovilraj' to 'S.Koilraj'. On this ground, the respondent had directed the petitioner to approach the Civil Court and get the necessary orders and thereafter, present the document for registration.

5. There is absolutely no dispute with regard to the identity of the petitioner. The name 'N.Kovilraj' being written as 'S.Koilraj', by no stretch can be a ground to reject the registration of the Memorandum of Deposit of Title Deeds presented before the respondent. The respondent has rejected registration on a very frivolous ground and hence, the same requires interference.

6. In the result, the impugned rejection letter of the respondent dated 14.10.2020 is hereby quashed. The respondent is directed to receive the document, namely, the Memorandum of Deposit of Title Deeds presented for registration and register the same, if it is otherwise in order and necessary stamp duty and registration fee being paid.

7. This Writ Petition is allowed with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mra

To

The Sub Registrar (in the Cadre of District Registrar)
Anna Nagar, Chennai 600 040.

+lcc to the Government Pleader, S.R.No.36934

+lcc to Mr.S.Mani, Advocate in sr.no.36706

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MG (CO)

CS/27/11/2020