



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.7459 of 2020

Karthik, S/o.Krishnasamy

... Petitioner

Vs.

The Sub-Registrar,
Sub-Registrar Office,
Melapalayam,
Tirunelveli.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to register and release the sale deed dated 23.06.2020, by considering the petitioner's representation dated 27.06.2020 and pass necessary orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Jerin Mathew

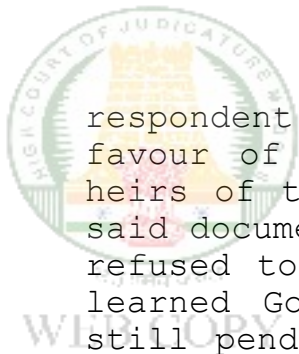
For Respondent : Mr.V.Anand
Government Advocate

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the respondent to register and release the sale deed dated 23.06.2020, by considering the petitioner's representation dated 27.06.2020 and pass necessary orders on merits and in accordance with law, within a stipulated period to be fixed by this Court.

2.According to the petitioner, one Velu Konar had executed a general Power of Attorney in favour of the petitioner on 04.02.2020 and the same was registered as Document No.638 of 2020, on the file of the respondent. Thereafter, the petitioner in order to sell the property to one Muthu, had executed a sale deed on 23.06.2020 and presented the same for registration on 25.06.2020 after producing sufficient documents and paying necessary fees. But, the respondent refused to receive the documents without stating any reasons. Hence, the present Writ Petition.

3.Mr.V.Anand, learned Government Advocate appearing for the respondent, on instructions, would submit that one Velu Konar had executed a general Power of Attorney in favour of the petitioner. The said document is also pending consideration before the



respondent. While so, the petitioner in-turn executed a sale deed in favour of one Muthu. One Esakki Ammal, who is one of the legal heirs of the said Velu Konar, has objected for registration of the said document. Based on the objection raised by her, the respondent refused to register the document presented by the petitioner. The learned Government Advocate would further submit that enquiry is still pending before the respondent and if the petitioner produces all the necessary documents before the respondent, the enquiry would be concluded as expeditiously as possible.

4.At this juncture, the learned counsel appearing for the petitioner undertakes that the petitioner will produce all the necessary documents before the respondent and co-operate for the enquiry.

5.Recording the abovesaid submissions made by the learned counsel appearing for the parties, this Court directs the respondent to serve notice to the parties concerned to appear for enquiry. The petitioner is directed to appear for enquiry and produce all the necessary documents before the respondent on the date of enquiry, without fail. After providing an opportunity to the interested parties, the respondent shall consider the petitioner's representation dated 27.06.2020, and pass necessary orders on merits and in accordance with law. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

The Sub-Registrar,
Sub-Registrar Office,
Melapalayam,
Tirunelveli.

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15.07.2020

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