

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2021

CORAM

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. Nos. 19837 to 19839 of 2012

T.Panneerselvam	... Petitioner in W.P. No.19837 of 2012
P.Ramu	... Petitioner in W.P. No.19838 of 2012
M.Pazhanivel	... Petitioner in W.P. No.19839 of 2012

Vs

- 1.The Sub-Registrar,
Joint II, Cuddalore - 607 002.
- 2.The District Registrar,
Cuddalore - 607 001,
Cuddalore.
- 3.Inspector General of Registration,
100, Santhome High Road, Chennai. ... Respondents in all W.P's.

Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents to hand over to the petitioner, the original of sale deed dated 15.09.2011, registered as document Nos.4341/2011, 4342/2011 & 4340/2011 respectively, with the first respondent and consequently directing the respondents to pay damages to petitioner with interest and cost.

For Petitioner : Mr. D.Baskar
(in all W.P's.)

For Respondents : Mr. P.P.Purushothaman
(in all W.P's.) Government Advocate

C O M M O N O R D E R

These petitions are filed for the issuance of Writ of Mandamus directing the respondents to hand over to the petitioners the original sale deeds dated 15.09.2011, registered as document Nos.4341/2011, 4342/2011 & 4340/2011 respectively, with the first respondent and consequently directing the respondents to pay damages to petitioners with interest and cost.

2. In all the Writ Petitions the facts are similar even though the petitioners are different. Though the petitioners have purchased different properties from different persons, the issue is common. It appears that the petitioners have purchased

certain properties which are registered as document Nos.4341/2011, 4342/2011 & 4340/2011 respectively. Though the documents were registered, it is stated that they were not handed over to the respective petitioners for no reason. It is stated by the respondents that the first respondent has not fixed guideline value when the documents were presented for registration and hence the documents could not be handed over to the petitioners. It is admitted before this Court that no proceedings were initiated by the respondents by invoking Section 47-A of the Indian Stamp Act, 1899. In such circumstances, this Court is unable to sustain the stand taken by the respondents that the respondents could not return the document which was registered earlier in the year 2011.

3. Recording the fact that no proceeding has been initiated so far under Section 47-A of the Indian Stamp Act, this Court is inclined to allow this Writ Petition. The respondents are directed to hand over the original sale deeds dated 15.09.2011, which are registered as document Nos.4341/2011, 4342/2011 & 4340/2011 respectively, within a period of two weeks from the date of receipt of a copy of this order. In case, if the respondents are unable to hand over the registered sale deeds to the respective petitioners within a period of two weeks as per this order, the respondents shall pay each petitioner a sum of Rs.10,000/- by way of compensation to the petitioner for every month of delay.

Accordingly, these Writ Petitions are allowed to the extent indicated above. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Sub-Registrar,
Joint II, Cuddalore - 607 002.

2.The District Registrar,
Cuddalore - 607 001,
Cuddalore.

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3.The Inspector General of Registration,
100, Santhome High Road, Chennai.

+1cc to Mr. D.Baskar, Advocate Sr.No.7594
+1cc to Government Pleader Sr.No.7339

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NR (CO)
NR 19/04/2021



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