

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2021

CORAM: JUSTICE N.SESHASAYEE

W.P.No.5107 of 2021

M.Velu

...Petitioner

-Vs-

1.The District Registrar,
Kallakuruchi District,
Kallakurichi.

2.The Joint Sub-Registrar - I,
Kallakurichi,
Kallakurichi District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to register the sale deed dated 16.02.2021 pertaining to the property at S.No.142/5A to an extent of 0.25 cents and S.No.143/1A1 to an extent of 0.25 cents situated at Kaaranur Village, Kallakurichi Taluk, Kallakurichi District which is presented for registration before the second respondent on 19.02.2021.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.T.M.Pappiah, SGP

ORDER

This Writ Petition is filed for a writ of Mandamus, to direct the second respondent to register the sale deed dated 16.02.2021 pertaining to the property at S.No.142/5A to an extent of 0.25 cents and S.No.143/1A1 to an extent of 0.25 cents situated at Kaaranur Village, Kallakurichi Taluk, Kallakurichi District which is presented for registration before the second respondent on 19.02.2021.

2. Mr.T.M.Pappiah, learned Special Government Pleader entered appearance for the respondents and submitted that there is no proof that the document has been presented before the second respondent.

3. The learned counsel for the petitioner submitted that the sale deed sought to be presented was indeed presented before the concerned Sub Registrar on 19.02.2021.

4. Since there is no fundamental difference as to whether the document was presented before the concerned Sub Registrar, this Court now requires the petitioner to present the document before the concerned Sub Registrar within a period of two weeks from the date of receipt of a copy of this order and the Sub Registrar is now required to hold an enquiry under Section 34 of the Registration Act, and decide the issue based on the Judgment of the Division Bench of this Court in N.Ramayee Vs. Sub Registrar [(2020) 8 MLJ 305].

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gsk

To

1. The District Registrar,
Kallakuruchi District,
Kallakurichi.

2. The Joint Sub-Registrar - I,
Kallakurichi,
Kallakurichi District.

+1 cc to M/s.R.Jayaprakash, Advocate Sr.No. 14256
+1 cc to The Government Pleader Sr.No. 14573

W.P.No.5107 of 2021

PMK (CO)
RMP (30/03/2021)

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