



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.06.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.12604 of 2021

Dhinesh Kumar

... Petitioner

Vs

The Sub Registrar,  
Office of the Sub Registrar,  
Red hills, Chennai.

... Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to register and return the sale deed dated 4.12.2020 presented on 4.02.2021 before the respondent.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.S.John J. Raja singh  
Government Advocate

O R D E R

The relief sought for in the writ petition is to direct the respondent to register and return the sale deed presented on 04.02.2021. The direction as such sought for cannot be granted without conducting any enquiry by the competent authority. On presentation of the document under the provisions of the Registration Act, the Sub Registrar is empowered to scrutinise the document as well as the legal validity of the document and register the same. If at all the document is not properly filed or cannot be registered, then the Sub Registrar has to return the same by assigning reasons. Contrarily, the document cannot be kept in the office of the Sub Registrar for indefinite period without assigning any reason. Such a practice cannot be encouraged. On receipt of a document, the competent Authority is bound to scrutinise the same and register it by following the procedures contemplated or return the same by assigning reasons. Therefore, the respondents are directed to scrutinise the document presented by the writ petitioner on 04.02.2021 and pass appropriate orders on merits and in accordance with law and by affording opportunity to the parties concerned, as expeditiously



as possible and preferably within a period of four weeks from the date of receipt of a copy of this order. With these directions, the writ petition stands disposed of. No costs.

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Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri

To

The Sub Registrar,  
Office of the Sub Registrar,  
Red hills, Chennai.

+1cc to M/s.R.Subramanian, Advocate Sr.No.27762

+1cc to the Government Pleader, Sr.No.27712

WP No.12604 of 2021

SR-II (CO)  
RVM(19/07/2021)