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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2021

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.14163 of 2021

and

W.M.P.No.15042 of 2021

S.Dhanasekaran

..Petitioner

Vs.

1.The Sub-Registrar
Kandamangalam,
Villupuram District.

2.A.Ramesh

..Respondents

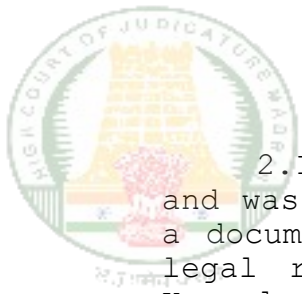
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to register the instrument i.e., the Sale Deed presented by the petitioner herein on 21.06.2021 in favour of the petitioner for the house hold vacant site situated at Thirumangalam Village, Vikravandi Taluk, Villupuram District, in Village Natham Survey No.241/29, (Old S.No.8/15) to an extend of 00113 Sq.Mtrs (1216 Sq.ft).

For Petitioner .. Mr.M.Arumugam
for A.Vimal Raj

For Respondent .. Mr.Yogesh Kannadasan
(Govt. Advocate)

ORDER

The petitioner S.Dhanasekaran S/o.Subramanian wanted to purchase a property from A.Kuppammal W/o.P.Arumugam since she required money for her medical expenses to undergo a new operation. The house hold property was an extent of 1216 Sq.ft. of vacant site, Village Natham Survey No.241/29, (Old S.No.8/15) originally allotted to P.Arumugam S/o of Poongavanam in Vadakku Colony, Thirumangalam Village, Vikravandi Taluk, Villupuram District.



2.It is claimed that the said P.Arumugam taken possession and was enjoying it. The patta in his name has been produced as a document to the writ petition. The said P.Arumugam died. His legal representatives were his wife A.Kupammal and daughter Kousalya. As stated A.Kupammal wanted to dispose of the property to the petitioner herein. They entered into a Sale Deed dated 21.06.2021 and presented the Sale Deed to the 1st respondent, Sub-Registrar, Kandamangalam, Villupuram District. He returned it claiming that the 2nd respondent has raised objections.

3.However, it the grievance of the learned counsel for the petitioner that reasons were not given for such rejection, but orally, the document was refused to be even received by the 1st respondent and he just returned it back to the writ petitioner herein.

4.While discharging an official duty, it is incumbent on the 1st respondent either to register the document or if he decides not to register it, to give reasons, so that the parties who present the document would know the reasons and thereafter try to rectify the same. In this case the 1st respondent has not even received the documents.

5.I would therefore called upon the writ petitioner to present the document in a proper form once again within a period of four weeks from this date and thereafter, the 1st respondent should take a decision to register or refuse to register the document. He must give reasons in writing to the petitioner. At any rate, such reasons must be given within a period of three weeks from the date of presentation of the document. During the course of taking such a decision, the 1st respondent must also issue notice and enquire the 2nd respondent.

6.With the said observations, the Writ Petition is disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

smv



To

The Sub-Registrar
Kandamangalam,
Villupuram District.

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+1cc to Mr.M.Arumugam, Advocate, S.R.No.38624

+1cc to the Government Pleader, S.R.No.39088

W.P.No.14163 of 2021

GPL (CO)

RGA (24/08/2021)