



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.16163/2021

[Video Conferencing]

P.Selvam @ Peryannan

... Petitioner

Versus

1.The Inspector General of Registration,
Santhome High road, Mylapore,
Chennai-4.

2.The Joint Sub Registrar II
Sub Registrar Office
Dharmapuri.

.. Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to register the Settlement Deed dated 20.07.2021 RFL/2 Joint Sub Registrar Dharmapuri/32/2021 dated 20.07.2021 and return the same to the petitioner.

For Petitioner : Ms.Sowmiya for Mr.M.Selvam

For RR 1 & 2 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the respondents.
- (2) The writ petitioner has filed this writ petition in the nature of a mandamus, seeking a direction to the 2nd respondent/Joint Sub Registrar-II, Sub Registrar Office at Dharmapuri to register a Settlement Deed dated 20.07.2021



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which had been returned to the writ petitioner in view of the fact that the earlier Title Deed of the said property had not been given by the petitioner at the time of registration.

- (3) Ms.Sowmya, learned counsel for the petitioner places reliance on a Circular dated 07.06.2018 in Circular No.25600/C1/2018 issued by the Registration Department wherein, in such circumstances, they have stipulated that quite apart from public notification, which has to be by paper publication to be effected, a complaint should also be given to the jurisdictional police station and a certificate called 'Non Traceable Certificate' should also to be obtained. The petitioner herein has complied with the necessary requirements.
- (4) Learned counsel also places reliance on an earlier order of a Learned Single Judge of this Court in WP.No.12022/2021 dated 06.07.2021 [L.Vanitha Vs.The Inspector General of Registration and another] wherein, a Learned Single Judge of this Court had placed an obligation on the registering authority to register the document, if the requirements in the Circular dated 07.06.2018 have been complied with.
- (5) Since the petitioner stands on the same footing, a similar mandamus is issued to the 2nd respondent to examine whether the petitioner has satisfied all the stipulations as required in the Circular dated 07.06.2018 referred above and if so, proceed further with registration of the document presented for registration. I hope that the entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.
- (6) The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

AP



To

1.The Inspector General of Registration,
Santhome High road, Mylapore,
Chennai-4.

2.The Joint Sub Registrar II
Sub Registrar Office
Dharmapuri.

+1CC to The Government Pleader, SR.No. 38830

WP.No.16163/2021

PCH(CO)

B.VC (26/08/2021)