



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. No.8779 of 2014

K.Tamilarasan

... Petitioner

-Vs-

1. The Inspector General of Registration,
Santhome,
Chennai - 600 028.

2. The Sub Registrar,
Thiyagadhurgam,
Villupuram District.

3. C.Ayyasamy

4. C.Chellakannu

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to call for the records of the second respondent pertaining to the objection report dated 27.12.2013 and quash the same and consequently direct the second respondent to register the sale deed dated 25.11.2013 executed by the respondents 3 & 4 in respect of the land to an extent of 92½ cents situated in S.F.No.22/4, Pallakacheri Village, Sankarapuram Taluk, Villupuram District.

For Petitioner : Mr.P.Valliappan

For Respondents

For R1 & R2

: Mr.A.Selvendran

Special Government Pleader

ORDER

The Writ Petition has been filed to call for the records of the second respondent pertaining to the objection report dated 27.12.2013 and quash the same and consequently direct the second respondent to register the sale deed dated 25.11.2013 executed by the respondents 3 & 4 in respect of the land to an extent of 92½ cents situated in S.F.No.22/4, Pallakacheri Village, Sankarapuram Taluk, Villupuram District.



2. The case of the petitioner is that he purchased the property comprised in S.F.No.22/4 to an extent of 92½ cents, situated at Pallakacheri Village, Sankarapuram Taluk, Villupuram District, out of the total extent of 1.85 acres from the third and fourth respondents herein. The subject property originally owned by their father viz., Chinnapaiyan and he purchased the same by the registered sale deed dated 21.06.1980 vide document No.1242 of 1980 from one Sellayee. He was granted joint patta No.1086 along with other pattadars. The said Chinnapaiyan died on 07.11.1992, leaving behind the respondents 3 & 4 as his legal heirs. Thereafter, the respondents 3 & 4 executed sale deed dated 25.11.2013, in favour of the petitioner and presented the same for registration before the second respondent. However, the second respondent refused to register the same for the reason that the father of the respondents 3 & 4 was granted only joint patta. Hence the petitioner filed this Writ Petition with the above said prayer.

3. Heard Mr.P.Valliappan, learned counsel appearing for the petitioner, Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents 1 & 2.

4. On perusal of the counter filed by the second respondent revealed that the second respondent returned the sale deed with the check slip dated 27.12.2013 requesting the petitioner to re-present the same with original title deed stood in the name of the father of the respondents 3 & 4. However, it is seen that the petitioner presented the sale deed dated 25.11.2013 along with all the original documents.

5. In view of the above, the impugned report dated 27.12.2013 issued by the second respondent is hereby set aside. The petitioner is directed to re-present the sale deed dated 25.11.2013 along with the parent deed stood in the name of the father of the respondents 3 & 4 herein, within a period of two weeks from the date of receipt of a copy of this Order. On receipt of the same, the second respondent is directed to register and release the same forthwith.

6. With the above directions, the Writ Petition stands allowed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

rts



To

1. The Inspector General of Registration,
Santhome,
Chennai - 600 028.

2. The Sub Registrar,
Thiyagadhurgam,
Villupuram District.

+1cc to Mr.P.Valliappan, Advocate, S.R.No.59380

+1cc to the Government Pleader, S.R.No.59757

W.P. No.8779 of 2014

CA(CO)
SB(07/12/2021)