

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2021

CORAM :
THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.17601 of 2020

S.Boopathisundaram ... Petitioner
Vs.

1.The Tahsildar
Kangayam Taluk
Kangayam
Tiruppur District.

2.The Sub Registrar
Registration Department
Kangayam
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to register the sale deed dated 10.01.2020 presented by the petitioner in so far as related to the land situated in R.S.No.222/1,2 &3, Nathakadaiyur Village, Kangayam Taluk, Tiruppur District to the extent of 5.4 acres and return the original sale deed to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petition is filed seeking a direction to the second respondent to register the sale deed dated 10.01.2020, as concerning the property of the petitioner in R.S.No.222/1, 2 and 3.

2. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner's vendor under the said sale deed have purchased the property sometime in 1959 and ever since the property stood in the name of the predecessor in title of the petitioner's vendor or the petitioner's vendor, as the case may be, and the revenue records continue to be in their names.

And, even after producing all the records, the second respondent refused to register the same.

4. Mr.T.M.Pappiah, learned Special Government Pleader made a statement that a formal enquiry will be held within the meaning of Section 34 of the Registration Act, 1908, and the petitioner may produce all the relevant materials documents at the time of enquiry, on perusal of which, the matter will be decided and registration will be made if there are no other hiccups.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the Sub Registrar, Kangayam, the second respondent herein to dispose of the case of the petitioner through a speaking order, in accordance with law, within a period of six (6) weeks from today.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Ds

To:

1.The Tahsildar
Kangayam Taluk
Kangayam
Tiruppur District.

2.The Sub Registrar
Registration Department
Kangayam
Tiruppur District.

+1cc to the Government Pleader, S.R.No. 5363

BS (CO)
GN (03/02/2021)

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