



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17862 of 2014

K.Parivallal

... Petitioner

vs.

The Sub Registrar
Sub-Registrar Office
Kattumannarkoil
Cuddalore District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to registrar the sale deed kept in abeyance as Doc.No.P.15/2012 and release the same to the petitioner.

For Petitioner : Mr.G.Peranban

For Respondent : Mr.R.Vigneswaran
Government Advocate

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondent to registrar the sale deed kept in abeyance as Doc.No.P.15/2012 and release the same to the petitioner.

2. The case of the petitioner is that the petitioner purchased the property admeasuring 4115 sq.ft comprised in R.S.No.118/11 situated at Nattar Mangalam, Kattumannarkoil Panchayat Union, Chidambaram Registration District from one V.Sivakumar on 08.05.2012 and presented the same for registration. However, the same was kept pending as Doc.No.P.15/2012. The petitioner was informed that the suit in O.S.No.1 of 2001 is pending on the file of the Sub Court, Jayankondam in respect of the subject property.

3. On perusal of the counter affidavit dated 06.09.2019 filed by the respondent, revealed that the petitioner's vendor viz., V.Sivakumar and among his family members filed O.S.No.1 of



2012 on the file of the Sub Court, Jayankondam. Though the said suit was already dismissed, his vendor is in arrear of sale tax to the tune of Rs.18,96,38,201/- and the Commercial Tax Officer, Chidambaram requested the respondent not to entertain any registration with regard to the subject property by the communication dated 10.05.2011.

4. On perusal of the communication dated 10.05.2011, the Commercial Tax Officer, Chidambaram is going to take action as against the petitioner's vendor. Except the said vendor, no other proceedings produced before this Court taken by the Commercial Tax Officer, Chidambaram. That apart, if any attachment is against the subject property, the Commercial Tax Officer, Chidambaram can very well proceed as against the subject property, had registered in the name of the petitioner herein.

5. Considering the above, the respondent is directed to register the sale deed dated 08.05.2012 pending as Doc.No.P.15/2012 and release the same to the petitioner, forthwith.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dm

To

The Sub Registrar
Sub-Registrar Office
Kattumannarkoil
Cuddalore District.

+2cc to Mr.G.Peranban, Advocate, S.R.No.65724
+1cc to the Government Pleader, S.R.No.66141

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BS(CO)
CT 29/12/2021