



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10450 of 2021

Valarmathi

... Petitioner

Vs.

1. The Sub Register,
Sub Register Office, Bodinayakanur,
Theni District.

2. Mydeen Pathima

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to register the sale deed, dated 26.03.2021 executed by the second respondent in favour of the petitioner in respect of the land in Survey No.593/3A situated at Bodinayakanur Village, Theni District.

For Petitioner : Mr.V.Manikandan
For R-1 : Mr.R.Suresh Kumar
Government Advocate

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the first respondent to register the sale deed dated 26.03.2021 that was executed in favour of the petitioner by the second respondent.

2. The case of the petitioner is that the second respondent is the owner of the property by virtue of a registered sale deed, dated 31.07.2020. This sale deed was registered on the file of the second respondent. The second respondent wanted to sell the property in favour of the petitioner and hence, a sale deed was executed on 26.03.2021. The grievance of the petitioner is that this sale deed was not entertained by the first respondent. Hence, a representation was also made to the first respondent on 05.04.2021 in this regard. Since the same did not evoke any response, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.V.Manikandan, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate



appearing for the first respondent.

4. In the considered view of this Court, the first respondent had registered the earlier sale deed that was executed in favour of the second respondent in the year 2020. Therefore, it is beyond comprehension as to why the sale deed that was executed by the second respondent in favour of the petitioner was not entertained and registered. In view of the same, there shall be a direction to the petitioner to re-present the document for registration before the first respondent and the same shall be entertained and registered, if it otherwise in order and the necessary stamp duty and registration charges are paid. The document shall be released after registration.

5. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE:

1.Issue order copy by **28.06.2021**

2.In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

tsg

To
The Sub Register,
Sub Register Office, Bodinayakanur,
Theni District.

+1 CC to M/s.V.MANIKANDAN, Advocate (SR-20012[F] dated 23/06/2021)

+1 CC to M/s.SPL GP (SR-20176[F] dated 24/06/2021)

**Order made in
W.P. (MD) .No.10450 of 2021**

**Dated :
23.06.2021**