



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.16092 of 2021

WEB COPY

D.Vijayakumar

... Petitioner

Vs.

1.The District Registrar,
Ariyalur.

2.The Sub-Registrar,
Thuraiyur,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 14.08.2021 and register the document relating to the properties covered under registered power in favour of the petitioner dated 22.07.2021.

For Petitioner : Mr.V.Singan

For R1 & R2 : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks a direction for the consideration of his representation dated 14.08.2021 in relation to the request for registration of a document.

2. The petitioner states that he is the agent of one Mr.V.Velusamy who owns properties at M.Murugar Village, Thuraiyur Taluk, Trichy District. He states that he obtained a power of attorney deed dated 22.07.2021 in his favour. According to the petitioner, the second respondent has refused to register documents of sale relating to the properties owned by his principal by drawing reference to a pending Writ Petition, namely, W.P.(MD).No.25388 of 2019. The petitioner asserts that the Court did not forbid the registration of a document by the second respondent in the above mentioned Writ Petition.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that this Court granted an interim stay of the plan sanctioned by order dated 28.11.2019 in W.M.P.(MD).No.21952 of 2019 in W.P.(MD).No.25388 of



2019. Therefore, he submits that the second respondent may have declined to register the document submitted by the petitioner.

4. The registering authority is required to either register a document submitted for registration or record reasons for refusing to register the same. In the case at hand, it appears that neither of the above options has been exercised.

5. Therefore, the petitioner is entitled to a direction for the consideration and disposal of his representation on merits and in accordance with law.

6. For reasons set out above, without going into the merits of the matter, the second respondent herein is directed to consider the petitioner's representation dated 14.08.2021 in relation to the registration of documents and pass a reasoned order thereon within a period of two (2) months from the date of receipt of a copy of this order. Such reasoned order shall be issued after providing a reasonable opportunity to the petitioner and after taking into account the order passed by this Court in W.P.(MD).No.25388 of 2019 and all other material considerations.

7. Accordingly, W.P.(MD).No.16092 of 2021 stands disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

Note : 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.

To

1.The District Registrar, Ariyalur.

2.The Sub-Registrar,
Thuraiyur,Trichy District.

+1 CC to M/s.V.SINGAN, Advocate (SR-29058[F] dated 15/09/2021)
+1 CC to M/s.SPL. GP (SR-28953[F] dated 14/09/2021)

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