



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.17474 of 2021

B.Sathya

... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office Thiruvaiyaru,
Thiruvaiyaru Taluk,
Thanjavur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to pass an order to the respondent to allow the registration of sale deed in TP/105166863/2021 dated 16.09.2021 executed by the petitioner in favour of Chitra.

For Petitioner : Mr.M.Vivek
For Respondent : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioner seeks a direction to the respondent to register the sale deed bearing TP/105166863/2021.

2. The petitioner claims title to a property admeasuring 520 square foot in Survey No.102/2F2, Karukudi Revenue Village, Thiruvaiyaru Taluk, Thanjavur District. A sale deed dated 07.06.2000 and the patta transfer order dated 10.10.2005 are cited in support.

3. Since the petitioner required money in connection with her daughter's wedding, she executed a sale deed in favour of one Chitra and presented the same for registration before the respondent. According to the petitioner, the Registration Department declined to register the document only because the guideline value in respect of the relevant survey number has not been provided. The petitioner points out that sale deeds bearing Document Nos.958/2020, 1160/2020 and 1354/2020 were registered although the guideline value of the relevant properties had also not



4. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of the sole respondent. He submits that the respondent may be directed to consider and dispose of the request for registration in accordance with law.

5. Upon receipt of a document for registration, the Registration Department is under an obligation to either register the document or provide cogent reasons for refusing to register the document. In other words, the Registration Department does not have the option of not acting on the request for registration. Indeed, registration cannot be refused merely because the Registration Department has not fixed the guideline value for a specific survey number.

6. Subject to the above observations but without entering findings on the merits of the matter, the respondent herein is directed to consider the petitioner's request for registration and either register the relevant document or indicate cogent reasons for refusing to do so. In any event, this process should be completed within a period of one (1) month from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

7. Accordingly, W.P.(MD).No.17474 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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
The Sub Registrar,
Sub Registrar Office Thiruvaiyaru,
Thiruvaiyaru Taluk,
Thanjavur District.

+1 CC to M/s.SPL.GP (SR-30859[F] dated 01/10/2021)

W.P(MD)No.17474 of 2021
29.09.2021

MGJ(07.10.2021) 2P 3C

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