



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.18969 of 2021

and

W.M.P.(MD).No.15779 of 2021

WEB COPY

Seenivasan

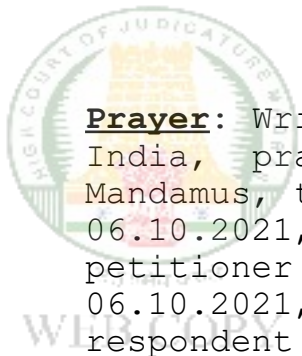
... Petitioner

Vs.

- 1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai-600028.
- 2.The Deputy Inspector General of Registration,
Govt Multi-Store Building,
2nd floor, Race Course Road,
Kajamalai Colony,
Edamalaipatti Pudur,
Tamil Nadu 620023.
- 3.The District Registrar,
District Registrar Office,
Court Campus,
Cantonment,
Trichy & District.
- 4.The Sub-Registrar,
Sub-Registrar Office,
Keel Sathanur,
Trichy District.
- 5.The Inspector of Police,
City Crime Branch Police Station,
Trichy City.
- 6.The Branch Manager,
M/s. Jothi Housing and Mortgage Finance (P) Ltd.,
9, Paripoorna Tower,
1st Floor, Manoranjitham Street,
Annamalai Nagar,
Trichy-620018.

7.G.Hari

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order dated 06.10.2021, passed by the 4th respondent refused to register the petitioner "Agreement Relating to Deposit of Titled Deeds", dated 06.10.2021, and quash the same and consequently directing the 4th respondent to register the petitioner "Agreement Relating to Deposit of Titled Deeds", dated 06.10.2021.

For Petitioner : Mr.R.Murugappan
For R1 to R5 : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner assails an order dated 06.10.2021 by which the fourth respondent refused to register an Agreement Relating to Deposit of Title Deeds presented by the petitioner for registration.

2.The petitioner claims title to the property bearing Plot Nos.243 and 244 in S.No.280/8F, Sethurapati Village, Srirangam Taluk, Trichy District under a registered sale deed dated 13.07.2017, bearing Document No.2126/2017.

3.In order to provide security in relation to a loan, it is stated that the petitioner mortgaged the above mentioned property in favour of the sixth respondent. In connection therewith, an agreement relating to deposit of title deeds was executed and sought to be registered. In respect thereto, the fourth respondent passed the impugned order dated 06.10.2021.

4.Although the petitioner assailed the order dated 06.10.2021, it is submitted by learned counsel for the petitioner that an appeal was filed under Section 72 of the Registration Act, 1908 before the third respondent and, therefore, limits the relief claimed by requesting that the third respondent may be directed to consider and dispose of the said appeal within a reasonable time frame.

5.Mr.P.Subbaraj, learned counsel for the State, accepts notice for respondents 1 to 5. On instructions, he submits that the fourth respondent issued the impugned order in view of the receipt of a communication from the fifth respondent, whereby the fourth respondent was informed about the pending Crime No.3 of 2020 and was called upon not to register documents presented by P.Srinivasan and N.G.Bhuvaneswari Amma, without informing the police department.

6.Since the petitioner has filed an appeal under Section 72 before the third respondent, it is not necessary to examine or enter any findings on the merits of the matter. Instead, it is sufficient to direct the third respondent to consider and dispose of the pending appeal expeditiously after providing a reasonable



opportunity to the parties concerned.

7. Accordingly, W.P.(MD).No.18969 of 2021 is disposed of by directing the third respondent to consider and dispose of the appeal filed by the petitioner on 09.10.2021 after providing a reasonable opportunity to the petitioner and respondents 5 to 7 herein. Such reasoned order shall be passed within a period of four (4) months from the date of receipt of a copy of this order. However, there will be no order as to costs. Consequently, W.M.P.(MD).No.15779 of 2021 is closed.

Sd/-

Assistant Registrar (A.D I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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 Inspector General of Registration,
100, Santhome High Road,
Pattinapakam,
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- 2.The Deputy Inspector General of Registration,
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- 3.The District Registrar,
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4.The Sub-Registrar,
Sub-Registrar Office,
Keel Sathanur,
Trichy District.

5.The Inspector of Police,
City Crime Branch Police Station,
Trichy City.

+1 CC to M/s.SPL.GP (SR-32845[F] dated 27/10/2021)

W.P (MD) .No.18969 of 2021
and
W.M.P. (MD) .No.15779 of 2021
26.10.2021

DKS (CO)
RS/UV (09.11.2021) 4P 7C