

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.2085 OF 2022

C.Ganesh

... Petitioner

Versus

The Sub Registrar,
Office of the Sub-Registrar,
Virugambakkam,
Chennai - 600 092.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to release the original sale deed for measuring about 600 sq. ft. land and building in respect of the sale deed registered as Document No.P5/2022 on the file of Sub-Registrar, Virugambakkam, Chennai.

For Petitioner : Mr.J.Milton Arun Rajendran

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondent to release the original sale deed for measuring about 600 sq. ft. land and building in respect of the sale deed registered as Document No.P5/2022 on the file of Sub-Registrar, Virugambakkam, Chennai.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that he purchased the property in Survey No.247/1A Part, Krishna Nagar, 5th Cross Street, Nerkundram Village, Maduravoyal Taluk, Chennai - 107 having jurisdiction at South Chennai Registration District, Virugambakkam, measuring an extent of 600 sq. ft. It is averred that though value of the property has been arrived at Rs.13,05,000/- and statutory charges, viz., stamp duty and registration charges have also been paid, the respondent refused to register the sale deed dated 28.12.2021 and assigned pending number i.e., No.P5/2022, Book-1, dated 06.01.2022 without giving any valid reasons. It is averred that due to non production of online patta, the respondent submitted his denial to release the sale deed. Hence, this writ petition for appropriate direction from this Court.

4. Heard the learned counsel on either side and perused the materials placed on record.

5. Learned counsel for the petitioner submits that it would suffice, if this Court directs the respondent to release the original sale deed of the petitioner pertaining to the subject land, within a time frame that may be fixed by this Court.

6. The learned Special Government Pleader appearing for the respondents has no serious objection to grant the relief as sought for by the petitioner.

7. Considering the facts and circumstances, without going into the merits of the case, the respondent is directed to consider the grievance of the petitioner with regard to release of original sale deed for the above land, and pass orders on merits and in accordance with law after providing an opportunity of hearing to the petitioner and other interested parties, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

The Sub Registrar,
Office of the Sub-Registrar,
Virugambakkam,
Chennai - 600 092.

+3ccs to Mr.J.Milton Arun Rajendran, Advocate, S.R.No.11659
+1cc to the Government Pleader, S.R.No.12372

W.P.NO.2085 OF 2022

PMK(CO)
PBS/23/03/2022