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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.3501 of 2022

M/s.India Resurgence ARC Private Limited,
Ganpatrao Kadam Marg,
Mumbai - 400013.
Represented by its Authorised Signatory,
Mr.Mathew Arun,
Vide Assignment dated 05.11.2019.

...Petitioner

vs.

1.Inspector General of Registration,
Government of Tamil Nadu,
Santhome High Road, Chennai - 600 004.

2.The Sub Registrar,
Office of the Sub Registrar Office,
Sriperumpudur.

3.M/s.Melos Restaurant and Industrial Catering Services,
through its proprietor,
Mr.L.Ashoka Raja,
160, Chennai Bangalore High Road,
Mambakam Post, Sriperumpudur,
Sriperumpudure, kancheepuram,
Tamil Nadu - 602 106.

4.J.Thangam

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the representation dated 17.11.2021 and also to register the sale certificate dated 21.10.2021 executed by the petitioner in favour of fourth respondent within the time stipulated by this Court.



For Petitioner : Mr.Arunachalam

For Respondents : Mr.Yogeshkannadasan
Special Government Pleader

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ORDER

The petitioner has filed this petition seeking a direction to the second respondent to consider the representation dated 17.11.2021 and also to register the sale certificate dated 21.10.2021 executed by the petitioner in favour of fourth respondent within the time stipulated by this Court.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. 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 the petitioner issued a Sale Certificate in favour of the fourth respondent. However, the same was refused to be registered by the second respondent. Thereafter, the petitioner made a representation on 17.11.2021 to the first and second respondents to make necessary enquiries with regard to the objection raised for not entertaining the Sale Certificate. However, till date no action has been taken by the second respondent on the representation made by the petitioner. Hence the present Writ Petition has been filed by the petitioner with the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the second respondent to consider the representation of the petitioner dated 17.11.2021 within the time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents fairly submitted that the petitioner's application dated 17.11.2021 will be considered by the second respondent within the time frame that may be fixed by this Court. However, the petitioner has to pay the necessary Stamp duty and Registration Charges.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second respondent to entertain the document presented by the petitioner and pass appropriate orders within a period of twelve



weeks from the date of receipt of a copy of this order on payment of necessary/requisite Stamp Duty and Registration Charges.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

nhs/tri

To

1. Inspector General of Registration,
Government of Tamil Nadu,
Santhome High Road, Chennai - 600 004.

2. The Sub Registrar,
Office of the Sub Registrar Office,
Sriperumpudur.

+1cc to Mr.M.Arunachalam, Advocate SR.No.12399

+1cc to the Government Pleader, SR.No.12780

W.P.No.3501 of 2022

BS (CO)

CB(21/03/2022)