



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.5995 OF 2022

AND

W.M.P.NO.6077 OF 2022

1.G.K.Ramesh Kumaar
2.K.A.Hussain Sheriff

... Petitioners

Vs.

1. The Inspector General of Registration,
100, Santome High Road,
Chennai - 600 028.

2. The Sub-Registrar,
Joint - I,
District Registration Office,
Veppamara Street,
Arani Road,
Vellore - 632 001.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order in Lr.No.6924/ A.Pa.Pi/2021 dated 23.11.2021 (pending Document No.148/A.Pa.Pi/2021 dated 23.11.2021) passed by the second respondent consequential order Lr.No.6924/ A.Pa.Pi/ 2021 dated 31.12.2021 (pending Document No.148/A.Pa.Pi/2021 dated 31.12.2021) passed by the second respondent and quash the same and consequently to release the pending Document No.148/A. Pa.Pi/2021 on the file of the second respondent.

For Petitioners : Mr.K.R.Shankara Narayanan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari Mandamus to call for the records of the impugned order in Lr.No.6924/ A.Pa.Pi/2021 dated 23.11.2021 (pending Document No.148/A.Pa.Pi/2021 dated 23.11.2021) passed by the second respondent consequential order Lr.No.6924/ A.Pa.Pi/ 2021 dated 31.12.2021 (pending Document No.148/A.Pa.Pi/2021 dated 31.12.2021) passed by the second respondent and to quash the same and to consequently release the pending Document No.148/A. Pa.Pi/2021 on the file of the second respondent.

2.The learned counsel appearing for the petitioners submitted that in the document there is conditional clause that if the mortgager failed to pay the amount then the mortgager has to convey the property in favour of the mortgagee. Hence, this Court may permit the petitioners to represent the document without any conditional clause as simple mortgage deed.

3.In view of the above, this Court permits the petitioners to represent the document without any conditional clause as simple mortgage deed. If any such document is presented by the petitioners the respondents are directed to register the same, if it is otherwise in order and subject to payment of necessary stamp duty and registration fees, in accordance with law.

4.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
100, Santome High Road,
Chennai - 600 028.



2. The Sub-Registrar,
Joint - I,
District Registration Office,
Veppamara Street,
Arani Road,
Vellore - 632 001.

+lcc to Mr.S.Vinodha, Advocate, S.R.No.19723
+lcc to the Government Pleader, S.R.No.19910

W.P.No.5995 of 2022
And
W.M.P.No.6077 of 2022

SSD(CO)
PM/07/04/2022