



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.6655 of 2022

Sri Parswanath Digambar Jain Bhavan Management Trust,
Rep by its President,
Mr.S.Srenikarj,
No.22, Subramaniam Koil Street,
Tindivanam-604 001

... Petitioner

Vs.

1.The District Registrar (Admin),
Office of the District Registrar,
Tindivanam.

2.The Joint Sub-Registrar No.I,
Office of the Joint Sub-Registrar No.I,
Tindivanam.

3.A.Jeevendradoss

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order of the 2nd respondent herein in his proceedings in Na.Ka.No.2811/2020 dated 29.11.2021 and quash the same and consequently direct the 2nd respondent herein to register the Supplemental Deed and Lease Deed presented by the petitioner Trust concerning its properties.

For Petitioner : Mr.P.Dinesh Kumar

For Respondents: Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order of the 2nd respondent herein in his proceedings in Na.Ka.No.2811/2020 dated 29.11.2021 and quash the same and consequently direct the 2nd respondent herein to register the Supplemental Deed and Lease Deed presented by the petitioner Trust concerning its properties.



2. The learned Special Government Pleader appearing on behalf of the respondents take notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed as against the private respondent, notice to the private respondent is dispensed with.

4. The case of the petitioner is that the petitioner Trust has presented the Supplemental Deed and Lease Deed, before the 2nd respondent, for registration. However, the 2nd respondent directed the petitioner Trust to approach Civil Court and obtain order, then only the Deeds will be entertained and registration will be passed. Challenging the same, this writ petition is filed with the above said prayer.

5. The learned counsel for the petitioner submitted that, though the petitioner has submitted the Supplementary deed to the Lease deed, however, the said deed was not entertained by the 2nd respondent and directed the petitioner to approach the Competent Court and obtain appropriate orders to proceed further with the registration. Hence, he submitted that, it would suffice if this Court issues direction to the 2nd respondent to register the Supplementary Deed to the Lease Deed presented by the petitioner Trust, within a reasonable time that may be fixed by this Court.

6. The learned Special Government Pleader appearing on behalf of the respondents submitted that, till date the petitioner Trust has neither presented the Supplemental Deed nor the Lease Deed, before the 2nd respondent for registration and they have been dealing the case either orally or in the form of letter correspondence with the 1st and 2nd respondents. Further, he submitted that, if the above said Deeds are presented, the respondents are ready to register the same, provided the same are within the ambit of both the Registration Act and Rules and Stamp Act and Rules.

7. Heard the arguments advanced by the learned counsel on either side.

8. In view of the fair submission made by the learned counsel appearing on behalf of the 1st and 2nd respondents, this Court, without going into the merits of the case, directs the petitioner to present the Supplementary Deed and the Lease Deed before the 2nd respondent, within a period two weeks from the date of receipt of a copy of this order. On receipt of the



documents, the respondents are directed to process the deeds in terms of the Registration Act and Stamp Act and Rules, after providing an opportunity of hearing to the petitioner and to the aggrieved parties, if any, within a period of eight 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-II)

//True copy//

Sub Assistant Registrar

Psa

To

1.The District Registrar (Admin),
Office of the District Registrar,
Tindivanam.

2.The Joint Sub-Registrar No.I,
Office of the Joint Sub-Registrar No.I,
Tindivanam.

+1cc to Mr.P.Dinesh Kumar, Advocate SR.No.20974

+1cc to Special Government Pleader SR.No.21369

W.P. No.6655 of 2022

SKM(CO)
GMY(12/04/2022)