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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.17419 OF 2022

R.Vijayasamundeeswari

.. Petitioner

Vs.

The Sub Registrar,  
Office of the Sub Registrar,  
Pallavaram, Chennai.

..Respondent

Petitions filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to register and release the document bearing TP No.123732370 of 2022 dated 25.06.2022.

For Petitioner : Mr.M.Vijayakumar

For Respondent : Mr.Yogesh Kannadasan, SGP

#### O R D E R

The petitioner has filed this petition seeking a direction to the respondent to register and release the document bearing TP No.123732370 of 2022 dated 25.06.2022.

2. The case of the petitioner is that the petitioner is the owner of the property in S.No.309/1 F, 309/1 patta No.31/2011 at Keezhkattalai Village, Tambaram Taluk, chengalpattu District. In the year 2009, the petitioner sold a part of property in S.No.309/1F and 309/1 to and in favour of M/s.Chennai Sai Krishna Engineering Private Limited Company. The petitioner, again, re- purchased the above said property in the year 2020 from the aforesaid Firm. Since the date of purchase, the said property is under possession and enjoyment of the petitioner. On 25.06.2022, the petitioner has presented the documents for registering the settlement deed executed in favour her sons before the SRO, Pallavaram along with requisite fee. The said documents were returned by the SRO, Pallavaram citing



that for non-clearance of the commercial tax dues payable by M/s.Chennai Sai Krishna Engineering Private Limited Company, Chennai and the encumbrance therein dated 03.04.2017 by retrospective date entry dated 25.08.2009.

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3. The learned counsel for the petitioner submitted that in respect of the commercial tax due payable by the M/s.Chennai Sai Krishna Engineering Private Limited Company, Chennai are concerned, the subsequent purchaser viz., Vinayagam or the petitioner were not put on notice by the Commercial Tax Department at any point of time. Further, the respondent herein has not made any objection for registering the above said documents in favour of the petitioner at the time of registration. Hence, this Court may issue a direction to the respondent to entertain the document which was presented by the petitioner and pass appropriate orders as per the Registration Act and Indian Stamp Act within the stipulated period as fixed by this Court.

4. The learned Special Government Pleader submitted that the respondent would be considered the petitioner's document and appropriate orders will be passed in accordance with law within the reasonable time as fixed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this Court directs the respondent to entertain the document which was presented by the petitioner, if it is otherwise in order, after collecting necessary charges, within a period of one week from the date of receipt of copy of this order.

7. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rli



To

The Sub Registrar,  
Office of the Sub Registrar,  
Pallavaram, Chennai.

+1cc to Mr.M.Vijayakumar, Advocate, S.R.No.43718

W.P.No.17419 of 2022

AKII (CO)  
PM/07/07/2022