



WEB COPY



W.P.No.25946 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.25946 of 2022

D.Pugalendi

... Petitioner

Vs.

The Sub Registrar,
The office of the Sub-Registrar,
Guduvanchery,
Vandalur Taluk,
Chengalpet District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to register the Sale deed bearing T.P.133435292 of 2022 dated 21.09.2022 in respect of housing site situated in Grama Natham Old S.No.119/2A, New Survey No.298/16, 298/17, 298/18 without insisting on production of patta measuring to an extent 3973 sq.ft. (including 2/2 share with drinking water pathway measuring to an extent of 233 sq.ft.) Vandalur Village & Taluk, Chengalpet District, in the Registration District of South Madras.

For Petitioner	:	Mr.K.R.Krishnan
For Respondent	:	Mr.G.Krishna Raja Additional Government Pleader



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ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent to register the Sale deed bearing T.P.133435292 of 2022 dated 21.09.2022 in respect of housing site situated in Grama Natham Old S.No.119/2A, New Survey No.298/16, 298/17, 298/18 without insisting on production of patta measuring to an extent 3973 sq.ft. (including 2/2 share with drinking water pathway measuring to an extent of 233 sq.ft.) Vandalur Village & Taluk, Chengalpet District, in the Registration District of South Madras.

2. The case of the petitioner is that he is the owner of the aforesaid properties and during the year 1982, the Patta was issued in respect of S.No.298/18 of an extent of 182 sq.m. The petitioner entered into a sale deed and the same was presented for registration on 22.09.2022 before the respondent. However, the respondent refused to register the same, on the ground that the Patta is available only for ½ of the properties and the Patta is not available for remaining half of the properties. Further, the petitioner explained the respondent that Patta is not required to be produced in respect of grama natham land and also produced the judgment of this Court in W.P.No.2018 of 2020 in the case of ***K.Khaleel, S/o. Khaja Bakra Vs. The***



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Sub-Registrar Alandur, dated 29.07.2020. However, till date, the same was not considered by the respondent. Hence, the petitioner filed the present Writ Petition.

3. Though very many grounds have been raised in this Writ Petition, the learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the respondent to register the sale deed dated 22.09.2022 presented by the petitioner and pass orders on the same within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondent submitted that the document presented by the petitioner will be entertained and appropriate orders will be passed, if it is otherwise in order.

5. Recording the submission made by the learned Additional Government Pleader, this Court directs the respondent to entertain the document presented by the petitioner, if it is otherwise in order and pass appropriate orders in terms of Registration Act and Stamp Act in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, and the petitioner is directed to pay requisite Stamp Duty and



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Registration Charges.

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6. With the above observations and directions, this Writ Petition is disposed of. No costs.

26.09.2022

Index : Yes / No
Speaking order: Yes/ No

jd

To

The Sub Registrar,
The office of the Sub-Registrar,
Guduvanchery,
Vandalur Taluk,
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M.DHANDAPANI, J.
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