



W.P. No.27803 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 27803 of 2022

Judith Jacob Siddharth

... Petitioner

Vs.

- 1 The State rep by
The Secretary to Government,
Revenue Department,
Fort St. George, Chennai- 600 009.
- 2 The Chief Controlling Authority,
I.G. of Registration,
125, Santhome High Road, Chennai- 600 028.
- 3 The Special Deputy Collector (STAMPS),
District Collectors Office,
5th Floor, Singaravelan Maligai,
Rajaji Road, Chennai- 600 001.
- 4 The Sub Registrar,
Konnur No.54, Main Road, SIDCO Nagar,
Villivakkam, Chennai- 600 049.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to release the sale deed registered as pending document in serial No. P 40 of 2014 dated 21.04.2014 which was subsequently converted and registered as Document No.4158 of 2015 in book No.1 before the 4th respondent.



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For Petitioner : Mr. Devadason and Sagar

For Respondents : Mr.E.Vijay Anand, AGP

ORDER

The writ petition has been filed seeking a direction to the respondents to release the sale deed registered as pending document in serial No. P 40 of 2014 dated 21.04.2014 which was subsequently converted and registered as Document No.4158 of 2015 in book No.1 before the 4th respondent.

2. The case of the petitioner is that the petitioner purchased a 1/3rd undivided share of the land in bearing door No.11F (old No.) New No.16, Murugesan Nagar, Madras, Battai Road, villivakkam, Chennai in Old T.S.No.136 Mallikaicherry Village in Block No.1, Patta No.2103 and present T.S.No.136/1A1, 1A2 Perambur-Purasaivakkam Taluk measuring an extent of 2800 sq. ft. From one Pushpa and the said sale deed was presented for registration on 21.04.2014 and the same was registered as pending document No.P 40 of 2014 by the 4th respondent. Thereafter, the 3rd respondent issued Form I notice dated 20.11.2015 to the petitioner for fixing the market value for the registered property and he has not received. Thereby, a final notice was issued to the petitioner on 06.09.2019 for the appearance of the petitioner on 12.09.2019. Immediately, the petitioner has filed his objection on 14.09.2019. Further, the petitioner sent various objection to the 3rd



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respondent to release the document. Till date, the 3rd respondent has not taken any action. Without having any other option, the petitioner has filed the present writ petition before this Court seeking an appropriate remedy.

3. Learned counsel for the petitioner submitted that the petitioner has paid entire stamp duty and registration fees as per the market value on the date of registration. Therefore, this Court may direct the 3rd respondent to conclude the proceedings after hearing the petitioner within the stipulated time as fixed by this Court.

4. The learned Addl. Government Pleader, on instructions, submitted that as on date, the final decree was not passed. The 3rd respondent will conduct enquiry and sufficient opportunity will be given to the petitioner and appropriate orders will be passed within the stipulated time as fixed by this court.

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

6. In view of the above submission made by the learned Addl.



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Government Pleader, this Court directs the petitioner to appear before the 3rd respondent within a period of two weeks from the date of receipt of a copy of this order and the 3rd respondent is directed to fix a date for enquiry and conclude the same and pass appropriate orders in terms of Section 47(A) of the Registration Act, after affording opportunity to the petitioner as well as the counter parties, if any, within a period of six weeks, thereafter.

7. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

19.10.2022

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Index : Yes / No

Speaking order : Yes / No

To

- 1 The State rep by
The Secretary to Government,
Revenue Department,
Fort St. George, Chennai- 600 009.

- 2 The Chief Controlling Authority,

<https://www.mhc.tn.gov.in/judis>



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I.G. of Registration,
125, Santhome High Road, Chennai- 600 028.

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- 3 The Special Deputy Collector (STAMPS),
District Collectors Office,
5th Floor, Singaravelan Maligai,
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M.DHANDAPANI, J.

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