



W.P.No.34135 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34135 of 2022
and W.M.P.No.33607 of 2022

R..Vijaya

.... Petitioner

-Vs-

1.The Sub Registrar
Salem East Joint-I Office
Salem.

2.S.1325-Salem NGGO Cooperative
House Building Society Ltd
Represented by its President
No.5, Ram Lakshman Tower
3rd Floor, Sree Ram Nagar
Azhagapuram, Salem-636 016.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to register the settlement deed dated 30.11.2022 executed by the petitioner in favour of her daughter B.Renuka in respect of her 1/3rd share in Plot No.9, NGGO Colony, AK-Ward, Block No.68, situated in Survey No.117/13 and T.S.No.59, measuring an extent of 3034 Sq.ft of Thathampatty Village, Salem District.

For Petitioner : Mr.K.K.Senthilvelan
for Mr.Gnanadesikan Law Associates

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – for R1



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ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 1st respondent to register the settlement deed dated 30.11.2022 executed by the petitioner in favour of her daughter B.Renuka in respect of her 1/3rd share in Plot No.9, NGGO Colony, AK-Ward, Block No.68, situated in Survey No.117/13 and T.S.No.59, measuring an extent of 3034 Sq.ft of Thathampatty Village, Salem District.

2. The petitioner presented a settlement deed for registration to the 1st respondent office on 29.11.2022. Having receipt of the document, acknowledgment was also given. However, it is the grievance of the petitioner that the document has so far not been registered and no refusal slip also has been issued. Therefore, in order to give a direction to register the document, the petitioner has moved the present writ petition.

3. Reiterating the aforesaid facts, Mr.K.K.Senthilvelan, learned counsel appearing for the petitioner seeks the indulgence of this Court.



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4. Heard Mr.Yogesh Kannadasan learned Special Government Pleader appearing for the 1st respondent, who would submit that if the document has already been presented on 29/30.11.2022 and it has been acknowledged by the 1st respondent, certainly that would be considered and decided, as to whether the document is capable of being registered and if the document is otherwise in order, that would be registered and if at all any defect is found out, that would be intimated to the petitioner. Anyhow, such disposal would be made by the 1st respondent within a time frame that may be stipulated by this Court.

5. Having regard to the submissions made by the learned counsel for the parties, especially the learned Special Government Pleader appearing for the 1st respondent, this Court is inclined to dispose of this writ petition with the following order.

"That there shall be a direction to the 1st respondent to take all necessary steps to register the document submitted by the petitioner on 29/30.11.2022 if it is otherwise in order in all respects and if at all the 1st respondent finds any defect in the document for refusing to register, that reason should be stated by the 1st respondent as per Sections 71 and 76 of the Registration Act and such intimation shall also be issued to the



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petitioner forthwith. The needful as indicated above shall be undertaken by the 1st respondent within a period of two weeks from the date of receipt of a copy of this order.”

6. With the above directions, this writ petition is disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

21.12.2022

Index : Yes/No
Internet : Yes/No
KST
To

The Sub Registrar
Salem East Joint-I Office
Salem.



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R. SURESH KUMAR, J.

KST

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