



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.2820 of 2022

R.Tejaswar Raja

... Petitioner

Vs.

1.The Sub-Registrar,
Melapalayam,
Palayamkottai Taluk,
Tirunelveli District.

2.A.Kannan

3.K.Ganapathy

4.K.Gurunathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to release the original sale deed registered before the first respondent in P/Melapalayam/86/2021 dated 07.12.2021 to the petitioner within the time fixed by this Court.

For Petitioner : Mr.H.Arumugam

For Respondent No.1 : Mr.S.Shanmugavel

Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to release the original sale deed registered before the first respondent in P/Melapalayam/86/2021 dated 07.12.2021 to the petitioner, within a time frame to be fixed by this Court.

2.At the outset, learned Counsel for the petitioner submits that though a positive direction has been sought for in this writ petition, the petitioner is satisfied if the second respondent's representation dated 03.01.2022 seeking for release of the aforementioned document is considered on merits and in accordance with law after affording a fair hearing to the petitioner in the light of the judgment of the Division Bench of this Court in ***N.Ramayee Vs. The Sub-Registrar, Salem District*** reported in **2020 (6) CTC 697** and the same is recorded.



3.No prejudice would be caused to the first respondent if such an exercise is done.

4.Accordingly, this Court directs the first respondent to consider the second respondent's representation dated 03.01.2022 requesting the first respondent to release the sale deed dated 07.12.2021 presented by the petitioner for registration and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner, the respondents 2 to 4 as well as any other necessary party whom the first respondent deems fit to enquire within a period of twelve [12] weeks from the date of receipt of a copy of this order, in the light of the Division Bench judgment referred to supra.

5.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To
The Sub-Registrar,
Melapalayam,
Palayamkottai Taluk,
Tirunelveli District.

ORDER MADE IN
W.P.[MD]No.2820 of 2022
14.03.2022
2/2

MR
MS/23.03.2022/2P.2C