



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.3900 of 2022

R.Arokiadoss

... Petitioner

Vs.

The Sub Registrar,
O/o.the Joint Registrar-I,
Thanjavur,
Thanjavur District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to register the sale deed dated 02.09.2021 executed by the petitioner and kept as a pending document in P.No.20/2021 dated 03.09.2021 on the file of this respondent office and return the same after its registration within the period that may be stipulated by this Court.

For Petitioner	:	Mr.Ajmal Khan, Senior Counsel for M/s.Ajmal Associates
For Respondent	:	Mr.S.Shanmugavel Additional Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus to direct the respondent to register the sale deed dated 02.09.2021 executed by the petitioner and kept as a pending document in P.No.20/2021 dated 03.09.2021 on the file of the respondent and to return the same after its registration within a time frame to be fixed by this Court.

2. Heard Mr.Ajmal Khan, learned Senior Counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice for the respondent.

3. At the outset, Mr.Ajmal Khan, learned Senior Counsel appearing for the petitioner would submit that, even though a positive direction has been sought for by the petitioner requesting for release of the pending document, namely, the sale deed dated 02.09.2021, which was presented by the petitioner for registration, the petitioner is now satisfied, if a decision is taken by the



respondent as to whether the sale deed can be returned to the petitioner after registration or the registration will have to be refused.

4. Admittedly, no decision has been taken, despite intimating the petitioner on 03.09.2021 that the said document is kept pending in view of the respondent's contention that further scrutiny is required to be done before registering the document. Even though the said intimation was given as early as on 03.09.2021, no final decision has been taken by the respondent till date.

5. On instructions, Mr.Ajmal Khan, learned Senior Counsel appearing for the petitioner would submit that the petitioner is satisfied if a decision is taken by the respondent one way or the other. He seeks liberty of this court, in case the respondent takes an adverse decision against the petitioner, the petitioner may be permitted to challenge the same in the manner known to the petitioner under law. It is also contended, that the petitioner has filed documents along with the Writ Petition, to claim that the petitioner is the authorised power agent of the owner of the land which is the subject matter of the sale deed presented by the petitioner for registration and is the subject matter of this Writ Petition. He has filed patta, chitta adangal in respect of the said land to prove the ownership of the petitioner's principal.

6. No prejudice would be caused to the respondent, if a final decision is taken within a time frame to be fixed by this Court, as the document has been kept pending ever since 02.09.2021, when the same was presented for registration.

7. After hearing the submissions made by the respective counsels, this Court directs the respondent to take a final decision with regard to the registration of the sale deed presented by the petitioner for registration, which is the subject matter of this Writ Petition, within a period of two (2) weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this Writ Petition is disposed of. However, liberty is granted to the petitioner to challenge the final decision, in case the respondent decides not to register the sale deed presented by the petitioner for registration, in the manner known to the petitioner under law. There shall be no order as to costs.

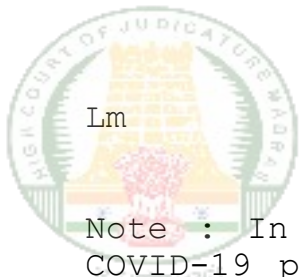
Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



Lm

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,
O/o.the Joint Registrar-I,
Thanjavur,
Thanjavur District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-11404[F] dated 11/03/2022)

+1 CC to M/s.SPL GP (SR-11525[F] dated 11/03/2022)

**W.P. (MD) .No.3900 of 2022
10.03.2022**

sb (CO)
TR(24.03.2022) 3P 4C