



W.P.(MD)No.5794 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5794 of 2020

K.Balasubramani

... Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar,
Palani, Dindigul District.

2.The Sub Registrar,
Office of the Sub Registrar Office,
Gujiliamparai,
Dindigul District.

3.Srirangam

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 & 2 herein to release the sale deed executed in the name of the petitioner dated 22.01.2020 in Document No.83/2020 registered in the office of the second respondent herein in favour of the petitioner within the time stipulated by this Court.

For Petitioner : Mr.A.R.Kannappan



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For R1 & R2 : Mr.J.K.Jayaseelan
Government Advocate
For R3 : no appearance

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for R1 & R2.

2. Though the third respondent has been served and his name is printed in the cause list, he has not chosen to enter appearance.

3. The writ petitioner's mother and sister executed the petition mentioned sale deed in favour of the writ petitioner. The same was presented for registration. All the registration formalities were concluded. However, the original registered document was not handed over to the petitioner in view of the objection raised by the third respondent. The third respondent has not obtained any injunction order from any jurisdictional civil court for handing over the document. When there is no restraint order, the second respondent could not have withheld the same.

4.The second respondent is directed to hand over the petition mentioned document to the petitioner immediately and without any delay.



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5. The Writ Petition is allowed. No costs.

21.07.2022

Index : Yes / No
Internet : Yes/ No
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To

- 1.The District Registrar,
Office of the District Registrar,
Palani, Dindigul District.
- 2.The Sub Registrar,
Office of the Sub Registrar Office,
Gujiliamparai,
Dindigul District.



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G.R.SWAMINATHAN,J.

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