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W.P.(MD)NO.20217 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20217 of 2021

M.Pandi

... Petitioner

Vs.

1. The Sub Registrar,
Gangaikondan,
Tirunelveli.

2. N.Somasundaram

3. S.Kosalai @ Kosalai Ammal

4. P.Amarnath

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the first respondent passed in Memo signed on 02.11.2021 and quash the same and consequently direct the first respondent to assign registration number for the document in P.No.121 of 2021 dated 22.10.2021 and return the sale deed to the petitioner within the time fixed by this Court.



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For Petitioner : Mr.H.Arumugam

For R-1 : Mr.K.S.Selva Ganesan,
Additional Government Pleader.

For R-2 & R-3 : Mr.P.P.Alwin Balan

For R-4 : No appearance.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for respondents 2 and 3.

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

3. Respondents 2 and 3 executed the petition mentioned sale deed in favour of the petitioner and presented the same for registration before the first respondent. On the ground that the fourth respondent has raised an objection, the



first respondent has not completed the registration formalities. The Inspector General of Registration once again issued a circular stating that if there is no restraint order passed by any jurisdictional civil Court, the registering authority will have to complete the registration formalities. The fourth respondent is aware of the presentation of the sale deed. The fourth respondent has also filed a civil suit. He has not obtained any interim order. The first respondent is directed to complete the registration formalities and release the document subject to the fulfilment of the other usual formalities.

4. This writ petition stands allowed. No costs.

10.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

The Sub Registrar,
Gangaikondan,
Tirunelveli.



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G.R.SWAMINATHAN,J.

PMU

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