



W.P.(MD) No.10918 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2022

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.10918 of 2016

and

W.M.P.(MD) No.8454 of 2016

S.R.Venkatraman

... Petitioner

Vs

1.The District Registrar,
Kumbakonam,
Thanjavur District.

2.The Sub Registrar,
O/o.Thiruvidaimarudhur Sub Registrar,
Thiruvidaimarudhur, Thanjavur District.

3.Vasudevan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 1st respondent vide No.1559/Aa/2015 dated 12.01.2016 and quash the same as illegal and arbitrary and consequently direct the 2nd respondent to register the uncompleted document No.143/2015 and release the same to the petitioner within time frame as fixed by this Court.



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For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.D.Sasikumar
Additional Government Pleader for R1 & R2

ORDER

The present writ petition has been filed challenging the order dated 12.01.2016 passed by the first respondent herein under which, the request of the petitioner for registration of the document was rejected on the ground that within 30 days, the document has not been presented.

2. A sale deed was executed in favour of the petitioner on 22.01.2014 and the same was presented for registration on the same day. However, the vendor had appeared and raised certain objection with regard to the registration. The second respondent conducted an enquiry and found that the vendor has, in fact, executed the said document and passed an order on 22.07.2015 directing the writ petitioner to present the document within a period of 30 days. Thereafter, the writ petitioner presented the document for registration on 21.08.2015. However, the second respondent herein refused to register the document on the ground that the document has not been



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presented within a period of 30 days. Hence, the petitioner approached the first respondent herein, who confirmed the order.

3. The second respondent has passed an order on 22.07.2015 directing registration of the document within a period of 30 days. Exactly on the 30th day, the petitioner has re-approached the second respondent herein and presented the document on 21.08.2015. However, due to erroneous calculation, the respondents 1 and 2 have refused to register the document. A perusal of the provision of law indicates that the writ petitioner has correctly presented the document on the 30th day. Hence, the impugned order is set aside and the respondents 1 and 2 are directed to register the document, if it is otherwise in order.

4. With the above observation and direction, this writ petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

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Index:Yes/No
Internet:Yes
abr



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R.VIJAYAKUMAR, J.

abr

To

- 1.The District Registrar,
Kumbakonam,
Thanjavur District.
- 2.The Sub Registrar,
O/o.Thiruvidaimarudhur Sub Registrar,
Thiruvidaimarudhur,
Thanjavur District.

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