



WEB COPY



W.P.No.25915 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25915 of 2023

Puspha Bai

... Petitioner

Vs.

1.The District Registrar (Admin),
(In the cadre of Assistant Inspector General of Registration),
Central Chennai,
Chennai 600 014.

2.The Sub-Registrar,
Purasiwalkam,
Chennai 600 094.

3.The Sub-Registrar,
Periamet,
Chennai 600 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent herein to register the petitioner's sale deed dated 20.06.2022 bearing Temporary Registration Number in TP/123490062/2022 and return the document within the time.



WEB COPY



W.P.No.25915 of 2023

For Petitioner	: Mr.G.Bala for M/s.G.Bala and Daisy
For Respondents	: Mr.P.Sanjay Gandhi, Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the second respondent to register the sale deed presented by the writ petitioner for registration on 20.06.2022 bearing Temporary Registration No.TP/123490062 of 2022.

2.The petitioner states that her vendor initially presented the sale deed for registration before the Sub-Registrar, Periamet/3rd respondent. The 3rd respondent informed the vendor to the petitioner that the territorial jurisdiction falls under the control of the 2nd respondent/Sub-Registrar, Purasaiwakkam. Accordingly, the writ petitioner, who is the purchaser of the subject property presented the sale deed for registration before the 2nd respondent/ the Sub-Registrar, Purasaiwakkam for registration. The 2nd respondent has refused to register the same and directed the petitioner to approach the 1st respondent. Under section 68 of the Registration Act, such a



W.P.No.25915 of 2023

proceedings are unwarranted, since the 3rd respondent has returned the document on the ground that the sale deed has to be presented before the 2nd respondent for registration.

3.The learned Government Advocate appearing on behalf of the respondents furnished a copy of the written instructions given by the 2nd respondent vide letter dated 04.09.2023. The 2nd respondent has admitted that the Sub-Registrar, Purasaiwakkam is the competent authority to register the sale deed presented by the petitioner.

4. That being the factum, approaching the 1st respondent has become unnecessary and therefore, the 2nd respondent is bound to register the sale deed presented by the petitioner by following the procedure as contemplated under the Act and Rules. Accordingly the 2nd respondent is directed to register the sale deed presented by the writ petitioner on 20.06.2022 bearing the Temporary Registration No. TP/123490062/2022 within a period of two (2) weeks from the date of receipt of a copy of this order.



W.P.No.25915 of 2023

4. Accordingly, the Writ Petition stands allowed. No costs.

WEB COPY

04.09.2023

veda/nl

Index: Yes

Speaking order



W.P.No.25915 of 2023

WEB COPY

To

- 1.The District Registrar (Admin),
(In the cadre of Assistant Inspector General of Registration),
Central Chennai,
Chennai 600 014.
- 2.The Sub-Registrar,
Purasiwalkam,
Chennai 600 094.
- 3.The Sub-Registrar,
Periamet,
Chennai 600 007.



WEB COPY



W.P.No.25915 of 2023

S.M.SUBRAMANIAM, J.

veda/nl

W.P.No.25915 of 2023

04.09.2023