



W.P.No.34782 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.34782 of 2023

D.B.S.Bank India Ltd.,
(Formerly Lakshmi Vilas Bank Ltd.,)
R.K.Salai (Cathedral Road) Branch,
Citadel, No.117/2, 117/4,
Dr.Radhakrishnan Salai, Mylapore,
Chennai – 600 004,
Rep.by its Senior Associate.

... Petitioner

versus

1. Secretary,
Government of Tamil Nadu,
Commercial Taxes and Registration Department,
Secretariat, Chennai – 600 009.
2. Inspector General of Registration,
100, Santhome High Road, Pattinapakkam,
Chennai – 600 028.
3. The District Revenue Officer (Stamps),
District Collector Office, Singaravelar Malligai,
5th Floor, 32, Rajaji Salai, Chennai – 600 001.
4. The Sub Registrar,
Office of the Sub Registrar,
Thiruporur, Chennai – 603 110.

.....Respondents



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Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to dispose of the memorandum of Appeal file No.55845/N1/2016, dated 24.11.2016, within a time frame which was filed to quash the proceedings in RC.No.1123/2015/A6, dated 03.10.2016 of the third respondent and to direct the 4th respondent to release the Sale Deed dated 24.05.2013 registered as Document No.260 of 2013 (subsequently, assigned as new Document No.15088/2013) to the petitioner Bank.

For Petitioner : Mr.A.V.Radha Krishnan

For Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by Mr.P.Gurunathan,
Additional Government Pleader

ORDER

The petitioner, which is a Bank, has come up with the present Writ Petition seeking for a Mandamus to direct the second respondent to dispose of the Memorandum of Appeal file No.55845/N1/2016, dated 24.11.2016, within a time frame, which was filed to quash the proceedings of the third respondent in RC.No.1123/2015/A6, dated 03.10.2016 and for a consequential direction to the fourth respondent to release the Sale Deed

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dated 24.05.2013 registered as Document No.260 of 2013 (subsequently, assigned as new Document No.15088/2013) to the petitioner Bank.

2. When the matter was taken up for hearing on 14.12.2023, this Court directed the second respondent to appear before this Court on 19.12.2023. Though the appeal was filed by the petitioner in the year 2016, so far, the respondents have not taken any action to dispose of the same.

3. Pursuant to the directions of this Court dated 14.12.2023, Mr.Nallasivan.V, Additional Inspector General of Registration, O/o.Inspector General of Registration, Chennai, appeared in person before this Court today.

4. The learned Additional Advocate General, assisted by the learned Additional Government Pleader appearing for the respondents submitted that due to the huge backlog prior to 2016, the respondents are not able to dispose of the Appeal filed by the petitioner in time. However, now the



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enquiry has been fixed on 29.12.2023, and the second respondent also affirmed the same.

5. In view of the above, this Court, without going into the merits of the case, directs the writ petitioner to appear before the second respondent for enquiry on 29.12.2023. The second respondent shall conduct the enquiry without any further delay and dispose of the Memorandum of Appeal file No.55845/N1/2016, dated 24.11.2016, on merits and in accordance with law, after affording an opportunity to the petitioner. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

19.12.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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To

1. The Secretary,
Government of Tamil Nadu,
Commercial Taxes and Registration Department,
Secretariat, Chennai – 600 009.
2. The Inspector General of Registration,
100, Santhome High Road, Pattinapakkam,
Chennai – 600 028.
3. The District Revenue Officer (Stamps),
District Collector Office, Singaravelar Malligai,
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