



W.P(MD)No.9525 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.9525 of 2023

1.M.Ariyanatchi

2.R.Kannusamy

... Petitioners

Vs.

1.The Inspector General of Registration,
Santhome High Road,
Santhome,
Chennai.

2.The Joint Sub Registrar No.IV,
Madurai South,
Madurai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second



W.P(MD)No.9525 of 2023

respondent in RFL/4-Joint Sub Registrar, Madurai South/12/2022 dated 16.12.2022 and to quash the same as illegal and consequently directing the second respondent to register and release the sale deed dated 15.11.2022 forthwith for the properties situated in 1) Re-Survey No.53/2 to an extent of 1 Acre 48 Cents 2) Re-Survey No.54/2B to an extent of 64 1/4 cents totally 2 Acres 12 1/4 Cents out of which 2/8th share undivided 53 cents situated at Avaniyapuram Village, Madurai District, without insisting for the production of original parent documents.

For Petitioners : Mr.C.Jeyaprakash

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

The writ petition has been filed in the nature of a Certiorarified Mandamus relating to an order passed by the second respondent/ Joint Sub Registrar No.IV, Madurai South, Madurai in RFL/4-Joint Sub Registrar, Madurai South/12/2022 dated 16.12.2022 and direct the said respondent to register the sale deed dated 15.11.2022.



WEB COPY



W.P(MD)No.9525 of 2023

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioners have taken a decision to purchase 2/8th share from the daughters out of a larger area of 2 acres 12-¼ cents of lands situated in R.S.Nos.53/2 and 54/2B at Avaniyapuram Village, Madurai District. The petitioners want to purchase an undivided 53 cents out of the larger area of land. It is stated that the original document is with the male members of the family. Since the original document has not been produced, the second respondent had refused to register the sale deed which had been presented for registration.

3. A direction is given that the petitioners may produce for perusal the original document and on perusal, if satisfied, the second respondent may proceed to register the documents of sale deed, if otherwise adequate stamp duty and registration charges have been paid. The entire exercise must be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order, provided, of-course the original document is produced by the male members for perusal before the second respondent.



W.P(MD)No.9525 of 2023

WEB COPY

4. With the above directions, the Writ Petition stands disposed of. No costs.

24.04.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes / No

RM



W.P(MD)No.9525 of 2023

To
WEB COPY

- 1.The Inspector General of Registration,
Santhome High Road,
Santhome,
Chennai.
- 2.The Joint Sub Registrar No.IV,
Madurai South,
Madurai.



WEB COPY



W.P(MD)No.9525 of 2023

C.V.KARTHIKEYAN, J.

RM

W.P(MD)No.9525 of 2023

(2/2)

24.04.2023