



W.P.(MD) No.21288 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.21288 of 2021

K.R.Rajarajeshwari
W/o.V.Baskaran

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub-Registrar,
Office of the Sub-Registrar,
Tiruchuzhi,
Virudhunagar District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent to register the Sale Deed for the property comprised in Survey No.33/3 (Patta No.106), situated at Ambaikulam Village, Thiruchuzhi Sub-Registration District, Kariyapatti Taluk, Virudhunagar District, to an extent of 1.50.5 Hectares, 3 Acres and 72 Cents, executed by M/s.Greenenergy Tamil Nadu Co. Pvt. Ltd. represented by D.Gopinath in favour of the petitioner based on the petitioner's representation dated 27.10.2021.



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For Petitioner : Mr.V.Baskaran

For Respondents : Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the second respondent to register the Sale Deed that was presented by the petitioner for registration, based on the petitioner's representation dated 27.10.2021.

2. When the matter was taken up for hearing, the learned Special Government Pleader appearing on behalf of the respondents submitted that some objections were raised and therefore the second respondent did not register the document.

3. In the considered view of this Court, a mere objection cannot be a ground to keep the document pending. Section 71 of the Registration Act, 1908 provides a duty for the Sub-Registrar to pass an order by recording the reason for refusal of registration of the document.



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4. Therefore, the second respondent has to either register the document and release the Sale Deed or to pass an order under Section 71 of the Registration Act, 1908, if he is inclined to refuse the registration of document. This exercise shall be completed with a period of 4 weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of in the above terms. There shall be no order as to costs.

20.11.2023

Index: Yes/ No
Neutral Citation: Yes / No
Speaking order / Non-Speaking order
JEN

To

- 1.The District Registrar,
Virudhunagar District,
Virudhunagar.
- 2.The Sub-Registrar,
Office of the Sub-Registrar,
Tiruchuzhi,
Virudhunagar District.



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N.ANAND VENKATESH, J.

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