



W.P(MD)No.24416 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24416 of 2023

A.Rasu

... Petitioner

Vs.

1.The Sub-Registrar,
Ponnamaravathi Sub-Registrar Office,
Pudukottai District.

2.K.R.Vijayarangan

3.M.Karuppan Ambalam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of of Mandamus, directing the 1st respondent to register the sale deed to be executed by the petitioner infavour of the 3rd respondent on the basis of the registered sale agreement (Doc.No.1535/2018) entered into between the petitioner and the 2nd respondent dated 14.06.2018, on the basis of his representation dated 07.08.2023 within a time frame as may be fixed by this Court.



W.P(MD)No.24416 of 2023

WEB COPY

For Petitioner : Mr.M.Ponniah

For Respondents : Mr.M.Sidharthan,
Addl. Government Pleader for R1.
Mr.A.Balamurugan for R2 & R3.

ORDER

Heard both sides.

2.The petitioner entered into a sale agreement with the second respondent on 14.06.2018. The second respondent nominated the third respondent as the purchaser. The petitioner wants to execute the sale deed in favour of the third respondent. Consistent with the usual practice, the parties have approached the first respondent and sought to know the formalities to be complied with. The first respondent made it clear to the petitioner that unless the original sale agreement is made available, the document will not be registered. The petitioner even issued notice to the first respondent. In this background, the present writ petition came to be filed.



W.P(MD)No.24416 of 2023

2. When there is consensus between the parties, the first respondent need not raise such an objection. The petitioner in this writ petition has arrayed not only the proposed purchaser but also the agreement holder. The purchaser as well as the agreement holder are represented by a common counsel. He made it clear that they have no objection for allowing this writ petition.

3. In this view of the matter, the petitioner and the third respondent are permitted to present the proposed sale deed. The first respondent will receive the same, register it and return it subject to fulfillment of the usual formalities.

4. This writ petition is allowed accordingly. No costs.

16.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.24416 of 2023

G.R.SWAMINATHAN, J.

ias

To:-

The Sub-Registrar,
Ponnamaravathi Sub-Registrar Office,
Pudukottai District.

W.P(MD)No.24416 of 2023

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