



W.P(MD)Nos.29179 of 2022 & 182 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.29179 of 2022 & 182 of 2021

W.P(MD)No.29179 of 2022:

A.Jeyaseelan

... Petitioner

Vs

1.The District Registrar,
Office of the District Registrar,
Dindigul District.

2.The Sub Registrar,
Kodaikanal Sub Registrar Office,
Kodaikanal,
Dindigul District.

3.C.Saraswathi

4.R.Xavier

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to register the petitioner's document P47/2020 on his file within the time stipulated by this Court .

For Petitioner : Mr.M.Shakul Hameed



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W.P(MD)Nos.29179 of 2022 & 182 of 2021

For Respondents : Mr.N.Satheeskumar
Additional Government Pleader
for R.1 & R.2

Mr.A.Mohamed Arif for R.3

Mr.K.Neethimohan for R.4

W.P(MD)No.182 of 2021:

R.Xavier

... Petitioner

Vs

1.The District Registrar,
Office of the District Registrar,
Dindigul District.

2.The Sub Registrar,
Sub Registrar Office,
Kodaikanal,
Dindigul.

3.A.Jeyaseelan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to conduct proper enquiry on the petitioner's representation dated 17.12.2020 and subsequently directing the second respondent to cancel the registered pending sale deed in pending document No.47/2020 on the file of the second within time stipulated by this Court.

For Petitioner : Mr.Neethi Mohan



W.P(MD)Nos.29179 of 2022 & 182 of 2021

For Respondents : Mr.N.Satheeskumar
Additional Government Pleader
for R.1 & R.2

Mr.M.Shahul Hameed for R.3

COMMON ORDER

Heard the learned counsel on either side.

2.Thiru.A.Jeyaseelan presented a sale deed for registration before the Sub Registrar, Kodaikanal. Thiru.Xavier contends that it should not be registered. Both Thiru.Xavier as well as Thiru.A.Jeyaseelan have filed the writ petitions seeking reliefs. This Court need not enter into factual aspects at this point of time.

3.The writ petitions are disposed of with the following directions:

- a)Thiru.A.Jeyaseelan is permitted to re-present the document in question before the second respondent.
- b)After receipt of the same, the second respondent shall issue notice to Thiru.Xavier.
- c)After hearing both the parties, the Sub Registrar would take a call as to whether the document should be registered or returned. If the Registrar is proposing to return the document, he shall issue the refusal check slip to Thiru.A.Jeyaseelan.



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The entire exercise shall be completed within a period of eight weeks after re-submission of the document in question. I make it clear that I have not gone into the merits of the matter. The contentions of the respective parties are left open. The registering authority will bear in mind the relevant circulars as well as the legal provisions while considering the respective contentions.

4.These writ petitions are disposed of accordingly. There shall be no order as to costs.

31.01.2023

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

MGA

To

1.The District Registrar,
Office of the District Registrar,
Dindigul District.

2.The Sub Registrar,
Kodaikanal Sub Registrar Office,
Kodaikanal,
Dindigul District.



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G.R.SWAMINATHAN, J.

MGA

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31.01.2023