



WEB COPY



WP.No.9634 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.9634 of 2024

1.Hasunudeen
2.Samsudeen
3.Noordenen

.. Petitioners

Versus

1.The Inspector General of Registration
No.100, Santhome High Road,
Chennai – 600 028

2.The District Registrar
Chidambaram, Cuddalore District

3.The Sub Registrar
Parangipettai
Cuddalore District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to register the lease deed dated 24.01.2024 in favour of the petitioners considering the 1st petitioner representation dated 25.01.2024 before the third respondent.

For Petitioner : Mr.A.Murthy

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

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2. It is the grievance of the writ petitioner that when the lease deed was presented on 24.01.2004, the same has not been registered nor rejected and further no proceedings has been initiated under Section 47 of the Indian Stamp Act, 1899. Hence, seeks a direction.

3. Now, it is well settled that any document is presented for registration except the powers provided under Sections 22-A and 22-B of the Registration Act of the document cannot be refused to be registered as a matter of right and even the document is under valued and the Registrar has reasons to believe that value has been undervalued, it is the duty of Registrar to refer the matter to the Stamp Collector. Without following the procedure, as a matter of right, document cannot be kept pending.

4. Accordingly, the Sub-Registrar/third respondent is directed to register the document and release the same. In the event, he has reasons to believe that



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the value has been undervalued, he has to take a recourse to the proceedings under Section 47A of the Indian Stamp Act by referring the matter to the Stamp Collector for determining the correct value. The registration shall be completed within a period of fifteen days from the date of receipt of a copy of this Order.

5. Accordingly, this writ petition stands disposed of. No costs.

08.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

1.The Inspector General of Registration
No.100, Santhome High Road,
Chennai – 600 028

2.The District Registrar
Chidambaram, Cuddalore District

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N. SATHISH KUMAR, J.

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