



WEB COPY



WP.No.5157 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.5157 of 2024

Vijay Mines
Partnership Firm
Represented by its Partner Mr.M.S.Elangeswaran
Having its Office at No.5/17
Velachery Road, Little Mount
Saidapet, Chennai – 600 015

.. Petitioner

Versus

1.The Sub Registrar, Salavakkam
Sub-Registrar Office
2/1A, Thottakara Street
Salavakkam – 603 107

2.The District Registrar
No.17, Rajaji Street
Chengalpattu HO
Chengalpattu – 603 001

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

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to dispose of the petitioner's representation dated 20.01.2024 within a time frame to be fixed by this Court and further direct the 1st respondent to register the sale deed dated 08.01.2024 presented to the 1st respondent pending disposal of the representation by the respondents herein.



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For Petitioner : Mr.A.Suganya
For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition is filed for a direction to the respondents to dispose of the petitioner's representation dated 20.01.2024 and also directing the 1st respondent to register the sale deed dated 08.01.2024 presented to the 1st respondent pending disposal of the representation by the respondents herein.

2. It is the grievance of the writ petitioner that when the sale deed was presented on 11.01.2004, 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/first respondent is directed to



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register the document and release the same. In the event, he has reasons to believe that 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 two weeks from the date of receipt of a copy of this Order.

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

02.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

1. The Sub Registrar, Salavakkam
Sub-Registrar Office
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Salavakkam – 603 107

2. The District Registrar
No.17, Rajaji Street
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N. SATHISH KUMAR, J.



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