



WEB COPY



W.P.No.13361 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13361 of 2024

Vasagar

.. Petitioner

Vs

1.The Sub Registrar,
Selaiyur Sub Registrar,
No.49, Sabai Colony, Sembakkam,
Rajakilpakkam, Chennai – 600 073.

2.The Tahsildar,
Tambaram Taluk,
GST Road, Tambaram,
Sanatorium, Chennai – 600 045.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to pass orders on the representation dated 08.04.2024 on the file of 1st respondent within a stipulated time.

For Petitioner : Mr.K.Venkatachalam

For Respondents : Mr. P.Anandhakumar
Government Advocate



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ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a direction to the 1st respondent to consider and pass orders on the petitioner's representation dated 08.04.2024.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

4. It is the case of the petitioner that when he presented a Sale Deed for registration on 14.03.2014, it was returned indicating that Vigilance and Anti Corruption has given an objection letter. Hence, the present writ petition.

5. Learned Government Advocate appearing for the respondents would submit that since there is an enquiry ongoing with regard to patta, the Investigating Officer sent a communication to the Registering Authority not to register the said document.



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6. This Court has already held in **Subramani Vs. The Sub Registrar, Rasipuram and another (WP.No.11056 of 2024 decided on 26.04.2024)** as follows :

“d. As far as the refusal based on the letters from the police is concerned, this Court in the case of R. Madhupriya v Inspector General of Registration reported in 2020 SCC Online Mad 20112 has held that the practice of police officers issuing letters to the Sub-Registrar’s asking them to refrain from registering documents has been consistently deprecated. In such cases, it is for the aggrieved party to obtain appropriate orders from the civil court instead of using the police machinery to prevent the Registrar from performing his statutory functions. Such view of the matter, merely on the basis of some communication from the police officials, the Registrar has no power to refuse the registration.”

7. In view of the above decision, this Court is of the view that the right of the petitioner cannot be curtailed and the 1st respondent is directed to register the Sale Deed presented by the petitioner, if it is otherwise in order, within a month's time from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No costs.

05.06.2024

gya

Index : Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

gya

To

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