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W.P. No.10309 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.10309 of 2024

S.Nanthagopal

... Petitioner

Vs

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

2.The District Registrar
Central Chennai
No.268, Bharathi Salai
Royapettah, Chennai - 600 014

3.The Sub Registrar
Anna Nagar
VGP Nagar, Mogappair West
Chennai - 600037

4.V.Palani

5.S.Murugaraja

... Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus, directing the 3rd respondent herein to



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release the sale deed registered as Doc. No.532 of 2024 at SRO, Anna Nagar, immediately after conducting the Field Inspection at Flat No.S1, Vinayaka Apartment, Plot No.D-5, No.9, Roja Street, Brindavan Nagar, Koyambedu, Chennai - 600 107 and hand over the original sale deed to the petitioner herein within the time frame stipulated by this court.

For Petitioner : Mr.R.Dhanasekar

For Respondents : Mr.B.Vijay
Addl. Govt. Pleader for R1 to R3
Notice returned unserved for R4 & R5

ORDER

This writ petition has been filed seeking a direction to the third respondent to conduct field inspection and release the document registered as Doc. No.532 of 2024 at SRO, Anna Nagar.

2. The petitioner has purchased the immovable property and registered the same vide Document No.532 of 2024 on the file of the Sub Registrar, Anna Nagar on 14.02.2024. However, the document has not been released.



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3. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that since the document also relates to building, inspection has to be conducted by the officials to find out the real value. Since there is a dispute between the petitioner and his tenant, the tenant is not allowing the officials to conduct inspection in the premises. If proper access is made to the officials to inspect the building, the same will be done and the document will be released, as per law. Since the tenant is not allowing the official, this court ordered notice to the respondents 4 and 5, namely the land owner and the tenant and the same have been returned un-served stating no such persons are available in the locality in the address given by the petitioner.

4. Despite the fact that the tenant, namely the fifth respondent is residing in the same house and the notice has been returned un-served, this fact clearly indicates that refusal is due to some deliberate intention. Be that as it may, this order not relates to the rights of the tenant.

5. In such view of the matter, the third respondent, namely the Sub Registrar, Anna Nagar is directed to cause inspection of the property with the help of police protection. The Inspector of Police, K-10 Police Station,



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Koyambedu is directed to provide necessary police protection to the Sub Registrar, Anna Nagar during his inspection. The Sub Registrar, Anna Nagar, shall inform the date of inspection to the Inspector of Police, K10-Police Station, Koyambedu and make inspection of the building and thereafter take a decision and release the document on its own merit.

6. With the above direction, the writ petition is disposed of.

11.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

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

2.The District Registrar
Central Chennai
No.268, Bharathi Salai
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3.The Sub Registrar
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4.The Inspector of Police
K-10 Police Station
Koyambedu

5.The Government Pleader
High Court, Madras

6.The Public Prosecutor
High Court, Madras



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N.SATHISH KUMAR, J.

Asr

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