



W.P. No.12106 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.12106 of 2024

U.Lavanya

. . Petitioner

Vs

1.The Inspector General of Registration
Office of Inspector General of Registration
No.100, Santhome High Road
Santhome, Chennai - 600 004

2.The Sub Registrar
T.Nagar, Chennai.

. . Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 2nd respondent to take necessary actions to register the Sale Deed dated 24.07.2023, pending in Doc. No.P/Thiyagaraya Nagar/97/2023 on the file of the 2nd respondent.

For Petitioner : Mr.K.Sharath Chandran

For Respondents : Mr.P.Anandhakumar, Govt. Advocate

ORDER



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This writ petition has been filed seeking a direction to the 2nd respondent to take necessary action to register the Sale Deed dated 24.07.2023, pending in Doc. No.P/Thiyagaraya Nagar/97/2023 on the file of the 2nd respondent.

2. It is the case of the writ petitioner that the property measuring an extent of 2000 sq.ft. along with the building is originally purchased by one Jagadambaammah @ P.Jagadamba in 1952. Thereafter, she settled the property in favour of his son P.Mohan Krishnayya on 12.10.2006. Later, the said Mohan Krishnayya settled the said property to his family members as follows:

- a) An undivided share of land to an extent of 400 sq.ft. from and out of 2000 sq.ft. of land and building thereon to Dr.K.Jayalakshmi, vide a Settlement Deed dated 25.01.2008, registered as Document No.129 of 2008, on the file of SRO - Thiyagaraya Nagar;
- b) An undivided share of land to an extent of 400 sq.ft., from and out of 2000 sq.ft., of land and building thereon to Mrs.Leela P.Murugesan, vide a Settlement Deed dated 25.01.2008, registered as Document No.131 of 2008, on the file of SRO - Thiyagaraya Nagar;
- c) An undivided share of land to an extent of 400 sq.ft. from and out of 2000 sq.ft. of land and building thereon to Mrs.K.Meenakshi, vide a Settlement



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Deed dated 25.01.2008, registered as Document No.133 of 2008, on the file of SRO - Thiyagaraya Nagar;

- d) An undivided share of land to an extent of 400 sq.ft. from and out of 2000 sq.ft. of land and building thereon to Mrs.M.Tanujaa, vide a Settlement Deed dated 25.01.2008, registered as Document No.132 of 2008, on the file of SRO - Thiyagaraya Nagar; and
- e) An undivided share of land to an extent of 400 sq.ft. from and out of 2000 sq.ft. of land and building thereon to Mrs.B.Sheela, vide a Settlement Deed dated 25.01.2008, registered as Document No.130 of 2008, on the file of SRO - Thiyagaraya Nagar.

The family members have sold the property to the petitioner's vendor on 21.12.2015. Now the petitioner has purchased the subject property. When the document was presented for registration, taking note of the fact that some adangal a larger extent has been shown in the name of masjid, the document has not been registered.

3. Mr.P.Anandhakumar, the learned Government Advocate, takes notice for the respondents 1 and 2 and made his submissions. Heard the learned counsel for the petitioner and the learned Government Advocate for the



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respondents and perused the materials available in the form of typed set of papers.

4. What was sought to be sold is only the property purchased in the year 1952. Various documents have been registered till 2015 without there being any objection by either side. Even now, it appears that there is no objection either from masjid or from wakf. When the same property has been sought to be transferred, merely on the basis of some entries found in the adangal for the larger extent, the document cannot be refused to be registered. In view of the same, the second respondent is directed to register the document, within a period of seven days from the date of receipt of a copy of this order.

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

Index : Yes/No

26.04.2024

Speaking/non speaking order

Neutral Citation : Yes/No

Asr

To

1. The Inspector General of Registration
Office of Inspector General of Registration
No.100, Santhome High Road
Santhome, Chennai - 600 004



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2.The Sub Registrar
T.Nagar, Chennai.

3.The Government Pleader
High Court, Madras

N. SATHISH KUMAR, J.

Asr



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