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W.P.No.18098 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.18098 of 2023

V.S.Haree Rajen

...Petitioner

Vs

1.The Inspector General of Registration
Registration Department, Government of Tamil Nadu
Santhome
Chennai – 600 028.

2.The District Registrar (Administration)
District Registrar Office,
North Chennai District,
Chennai – 600 104.

3.The Sub-Registrar,
Sub-Registrar Office,
Madhavaram
Chennai – 600 060.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorari, to quash the impugned order passed under No.529/Aa1/2023 dated 13.04.2023 passed by the 2nd respondent annexed by the 3rd respondent vide letter No.356/2022-2023 dated 22.05.2023.

For Petitioner : Mr.C.Shankar



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For Respondents : Mr.B.Vijay
Additional Government Pleader

ORDER

The present Writ Petition has been filed seeking to quash the impugned order passed under No.529/Aa1/2023 dated 13.04.2023 passed by the 2nd respondent annexed by the 3rd respondent vide letter No.356/2022-2023 dated 22.05.2023.

2.Since the issue involved in the Writ Petition is the refusal to register a sale certificate under Section 89 (II) of the Registration Act, where the sale certificate has already been forwarded by the Court to the Registering Authority. The issue is no longer res-integra in the light of the judgement in the ***Inspector General of Registration and Another Vs. G.Madhurambal and Another***, reported in ***2022 SCC Online SC 2079***. Therefore, the petitioner shall forward copy of the sale certificate which was issued to him by filing an application before the executing Court to reopen the execution petition for the limited purpose of forwarding a copy of the sale certificate to the 3rd respondent. On such application being filed, the learned Sub Judge, Thiruvallur, shall forward the same to the Sub-Registrar, Madhavaram, Chennai – 600 060. The learned counsel for the respondent have no objection for this procedure being adopted.



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The third respondent is directed to register the sale certificate within a period of two weeks from the date of sale certificate being received by him.

3. Accordingly, the present Writ Petition is disposed of with the above direction. No costs.

13.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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To

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