



WEB COPY



W.P.No.18658 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

**W.P.No.18658 of 2020
and W.M.P.No.23150 of 2020**

P.Gunasekaran

.. Petitioner

Versus

1.Ananth
2.Mohanraj

3.The District Registrar
Puducherry

4.The Sub Registrar
Thirukannur, Pondicherry

.. Respondents

Prayer:- Writ Petition is filed under the Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records of the 3rd respondent/District Registrar, Puducherry passed in Application No.1 of 2020 in Appeal No.2 of 2019 dated 05.08.2020, quash the same.

For Petitioner : Mr.R.Narayanan
for M.V.Krishnan

For Respondents : Mr.T.M.Naveen for R1
Mr.B.Balavijayan for R2
Mrs.V.Usha for R3 & R4
Additional Government Pleader (Pondy)



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ORDER

By consent of both parties, this writ petition is taken up for disposal.

2. This writ petition has been filed challenging the order of the third respondent passed in Application No.1 of 2020 in Appeal No.2 of 2019 dated 05.08.2020 and quash the same.

3. It is the case of the writ petitioner that the private respondents has produced the unregistered sale deed before the Civil Court in a suit in O.S.No.216 of 2019 on the file of Principal District Judge, Puducherry. Therefore, the petitioner gave an application before the District Registrar to impound the document which has been rejected directing the petitioner to raise a plea before the concerned Civil Court. Challenging the said order, the present writ petition has been filed.

4. Heard both sides and perused the materials placed on record.



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5. On perusal of the impugned order, this Court is of the view that the very giving of the application before the District Registrar to impound the document itself is due to ill advise. Any impounding of the document for want of stamp duty has to be made only when the document is presented before the authorities who is empowered to take evidence at the relevant point of time. When the so-called unregistered document is not a issue before the Registrar and such unregistered document said to have been filed in a civil court, giving an application before the District Registrar to impound the document which is not even produced before the District Registrar is nothing but ignorance of the parties.

6. Such view of the matter, I do not find any infirmities in the order, hence, this writ petition stands dismissed. Consequently, connected miscellaneous petition stands closed.

23.04.2024

Internet : Yes/No
Index : Yes/No
Neutral Citation : Yes/No
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N.SATHISH KUMAR, J.

dhk

To,

1.The District Registrar
Puducherry

2.The Sub Registrar
Thirukannur, Pondicherry

W.P.No.18658 of 2020

**23.04.2024
(2/2)**