



WP.No.20791 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.20791 of 2023

R.Manikandan

.. Petitioner

Versus

The Sub Registrar
Registrar Office,
Kandamangalam,
Villupuram District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to passed by the District Registrar vide her proceedings No.418/A1/2023, dated 27.01.2023, petitioner representation dated 27.01.2023.

For Petitioner : Mr.R.Kannan

For Respondent : Mr.L.S.M.Hasan Fizal for R2
Additional Government Pleader

ORDER

This writ petition is filed seeking for a direction to the respondent to implement the Order of the District Registrar to register the document presented by the petitioner.

<https://www.mhc.tn.gov.in/judis> 2. It is the grievance of the writ petitioner that the partiton deed when



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presented, the same was refused to be registered on the ground that there are other name found in the encumbrance, unless the same is cleared, the document cannot be registered. In this regard, he has also given a representation to the District Registrar. The District Registrar by Proceedings No.418/A1/2023 dated 27.01.2023 directed the Sub Registrar to register the document as per the circular. Despite such direction, the document has not been registered. Hence, this writ petition.

3. The learned Additional Government Pleader takes notice for the respondent and submitted that since some other persons name are found in the encumbrance, the document has not been registered.

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

5. This Court is of the view that it is not the concern of the registering officials to verify the title. It is also stated by the petitioner when he has already produced a decree and judgment in O.S.No.237 of 1983 dated 16.02.1984 in this regard. Such view of the matter, when the Rule 55 of the Tamil Nadu Registration Rules, 1983 makes it clear that registering authorities has got no right to go into the title, it is none of their business to refuse to register the document on the ground that some third party names are found in encumbrance



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that too without any objections whatsoever.

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6. Such view of the matter, the respondent is directed to register the document presented by the petitioner within a period of two weeks from the date of receipt of a copy of this Order.

7. Accordingly, this writ petition stands disposed of. No costs.

04.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

Note: Issue Order Copy on 08.04.2024

To,

The Sub Registrar
Registrar Office,
Kandamangalam,
Villupuram District

N. SATHISH KUMAR, J.



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