



WEB COPY



WP.No.20929 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **30.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.20929 of 2024

Thiyagarajan

.. Petitioner

Versus

1. The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai – 600 028.

2. Nallupadaiyachi

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 22.04.2024.

For Petitioner : Mr.A.Arasu Ganeshan

For Respondents : Mr.M.Shajahan
Special Government Pleader – R1

ORDER

Since no adverse Order is passed against the second respondent, notice to him is dispensed with. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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2. This Writ Petition is filed to direct the first respondent to consider the representation of the petitioner dated 22.04.2024.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

4. The case of the petitioner is that he entered into an agreement for sale with the second respondent and his legal heirs and he had also paid substantial amount based on the said agreement. The further case of the petitioner is that though the petitioner is ready and willing to pay the remaining sale consideration, the landlord has not come forward to execute the sale deed. While so, the landlord had executed a settlement deed in favour of his wife and other legal heirs. In this regard, the petitioner has given a representation to the first respondent. But no action has been taken by the first respondent till date. Hence, the present Writ Petition.

5. At the outset, this Court is of the view that mere agreement will not create any charge or interest over the immovable property. It is well settled that mere registration of a sale agreement will not be a bar for subsequent transaction.



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The right of the agreement holder is only to enforce the agreement. Merely on the basis of an agreement, one cannot claim right or interest over the immovable property. It is well open to the petitioner to enforce the agreement in the manner known to law. Hence, I do not find any merits in this Writ Petition.

6. With the above direction, this Writ Petition is dismissed. No costs.

30.07.2024

vrc

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai – 600 028.



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N. SATHISH KUMAR, J.

VTC

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