



W.P.No.24673 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

W.P.No.24673 of 2024

R.Santhosam

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Kanchipuram District,
Sadavaram Complex, Orikkai,
Kanchipuram 631 502.

2.The Sub Registrar Joint II,
Taluk Office Compound,
Kanchipuram Town, 631 501.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to comply with the petitioner's petition dated 19.12.2023 for registering the order dated 29.11.2023 rendered by the Hon'ble DRT-III, Chennai in S.A.No.28 of 2021 without any further delay.

For Petitioner : Mr.Y.T.Aravind Gosh

For Respondents : Mr.B.Vijay, AGP

ORDER



W.P.No.24673 of 2024

WEB COPY

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to comply with the petitioner's petition dated 19.12.2023 for registering the order dated 29.11.2023 rendered by the Hon'ble DRT-III, Chennai in S.A.No.28 of 2021 without any further delay.

2. Heard both sides. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that he is the owner of the building situated in Door.No.57B, Karukkinil Amarndhaval Koil Street, Kanchipuram, comprised in T.S.No.287/1B and 2B in Ward No.3, Block No.34. He mortgaged the said property with REPCO Development Bank, Kanchipuram, for availing loan. Since there was a default on the part of the petitioner, SARFAESI Proceedings were initiated against him and in the said proceedings, without following the due process of law, the property was sold in favour of one Harikaran and a sale certificate was also issued in his favour. The sale certificate was already registered with the second respondent. Challenging the auction sale, the petitioner



W.P.No.24673 of 2024

approached the Debt Recovery Tribunal and *vide* order dated 29.11.2023 in S.A.No.28 of 2021, the Debt Recovery Tribunal, Chennai, passed orders in favour of the petitioner and set aside the sale certificate. The petitioner presented the certified copy of the said order before the second respondent for registration of the same.

4. It is also asserted by the petitioner that he submitted the necessary papers for registration as early as on 19.12.2023 (i.e) within one month from the date of the order. The petitioner also submitted a representation on 19.12.2023 to the second respondent seeking registration of the Court order presented for registration. The same has not been considered till date. Therefore, the petitioner is before this Court.

5. The learned Additional Government Pleader who is taking notice for the respondents 1 and 2 submitted that if the certified copy of the order passed by the Debt Recovery Tribunal -3, Chennai, is presented for



W.P.No.24673 of 2024

registration through online mode, the same would be considered in accordance with law.

6. In view of the same, this Writ Petition is disposed of. The petitioner is directed to submit the order for registration through online mode, within a period of two weeks from the date of receipt of a copy of this order. If the petitioner submit the order for registration within the time stipulated, the second respondent shall register the same, if it is otherwise in order. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

23.08.2024



W.P.No.24673 of 2024

WEB COPY

To

- 1.The District Registrar,
Registration Department,
Kanchipuram District,
Sadavaram Complex, Orikkai,
Kanchipuram 631 502.
- 2.The Sub Registrar Joint II,
Taluk Office Compound,
Kanchipuram Town, 631 501.



WEB COPY



W.P.No.24673 of 2024

S. SOUNTHAR, J.

gsk

W.P.No.24673 of 2024

23.08.2024