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W.P No.25121 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25121 of 2024

P.Thangamani

..Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road, Annamalai Puram,
Chennai 600 028.
2. The District Registrar,
The District Register Office,
Gopalapuram,
Coimbatore 18.
3. The Sub-Registrar,
The Sub-Registration Office,
Anaimalai 642 104.
4. M.Sivabackiam
5. Govindammal
6. Rubadevi
7. Santhoshkumar
8. Indirani @ Indira Gandhi

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to dispose petitioner's representation dated 01.08.2024 requesting the third respondent to register the sale deed dated 23.05.2024 as regular document in book 1 entry within time framed manner.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.M.Shahjahan for R1 to R3
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the third respondent to dispose of his representation dated 01.08.2024 requesting him to register the sale deed dated 23.05.2024, within a time frame fixed by this Court.

2. According to the petitioner, he purchased 1.08 acre undivided share in S.F.No.234/2B2 situated in Angalakuruchi Village, Anaimalai Taluk, from the fourth respondent. The said property was subject matter of the suit in OS.No.164 of 2015. The fourth respondent is entitled to $\frac{1}{2}$ share measuring an



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extent of 2.63 acres out of 5.26 acres in the above mentioned survey number, as per preliminary decree passed in the suit. The sale deed executed by the fourth respondent in favour of the petitioner was presented before the third respondent for registration on 23.05.2024, the same has been kept pending as Document No.47 of 2024 by the third respondent till date. The petitioner submitted a representation on 01.08.2024 requesting the third respondent to register the document, the same has not been considered till date. Aggrieved by the same, the petitioner is before this Court.

3. Mr.M.Shahjahan, learned Special Government Pleader, who takes notice for the respondents 1 to 3 would submit that in view of the pendency of the civil suit mentioned above, the document was kept pending.

4. The pendency of the suit is cited as the only ground for not registering the document. In the case on hand, it is not the case of the third respondent that there is a prohibitory order against the registration of the document. In such circumstances, the third respondent is not justified in keeping the document pending for more than three months. Accordingly, the third respondent is directed to consider the representation of the petitioner



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dated 01.08.2024 and take a decision regarding registration of the document presented for registration within a period of two weeks from the date of receipt of copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

02.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna



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To

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