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W.P.No.27894 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2024

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**THE HONOURABLE MR. JUSTICE S. SOUNTHAR**

W.P No.27894 of 2024

and

WMP.No.30422 of 2024

1. K.Ramadoss
2. K.Vasu
- ...Petitioners

Vs.

1. The Inspector of General of Registration,  
100, Santhome High Road,  
Mandaveli Pakkam, Raja Annamalai Puram,  
Chennai - 600 028.
2. The Deputy Inspector General of Registration,  
100, Santhome High Road, Mandaveli Pakkam,  
Raja Annamalai Puram, Chennai - 600 028.
3. The Sub-Registrar,  
Office of the Sub Registrar,  
Kundrathur, Kancheepuram District.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent herein to release the pending documents namely the Settlement Deeds dated 21.09.2022,



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executed by the petitioners 1 & 2 separately which were registered on 17.02.2023 bearing pending document Nos.P39/2023 and P41/2023.

For Petitioners : Mr. Venkataswamy Babu

For Respondents : Mr. T. Chezhiyan  
Additional Government Pleader

### **ORDER**

The petitioners herein seek for a direction to the third respondent to release the Settlement Deeds executed by them on 21.09.2022, and 17.02.2023 respectively on the file of the third respondent, as pending document Nos.P39/2023 and P41/2023.

2. By consent of both the learned counsel appearing for the petitioners as well as learned Additional Government Pleader for respondents, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioners that one Kandhasamy Nadar was the owner of the land measuring 5.65 acres in Survey No.12.6 situated at Sundara Sozhavaram Village, Poonamallee Taluk, Tiruvalur District. He sold the



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property to one Sambanki Naidu. The first petitioner and one P. Dasaradhan have jointly purchased the said property from one Kannaiah Naidu, S/o Sambanki Naidu. The second petitioner purchased the undivided half share from the said P. Dasarathan. Thus, the petitioners are the absolutely owners of the above mentioned property. The first petitioner executed a settlement deed in respect of his undivided share in favour of his son Sathish Kumar on 21.09.2022. On the very same day the second petitioner executed a settlement deed in respect of his undivided share in favour of his son Sandeep Vasu. Both the settlement deeds were presented for registration before the third respondent on 21.09.2022 itself but till date the third respondent has not registered the document and kept it as pending document on the ground that Civil Suit filed in respect of the said property in pending.

4. It is seen from the documents filed in the typed set of papers that one Stalin has filed a civil Suit against the petitioners and others in O.S. No. 137 of 2013 on the file of District Munsif Court, Poonamallee in respect of subject property covered in the settlement deeds. The suit was filed for a declaration of his title and for consequential injunction. Admittedly, the pending documents were executed by the petitioners in favour of their respective sons



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during the pendency of the suit. Therefore, citing the pendency of suit the documents executed by the petitioners were kept pending by the third respondent. However, in the absence any prohibitory order passed by the civil Court, the third respondent is not justified in keeping the documents as pending documents without completing the registration process. Therefore, the third respondent is directed to complete the registration process and release the documents within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**27.09.2024**

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

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**S. SOUNTHAR, J.**

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