



WEB COPY



W.P.No.29978 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.29978 of 2024

1. G.Munusamy
2. Neela

...Petitioners

Vs.

1. IG Registration,
100, Santhome High Road,
Pannitanapakkam, Chennai - 600 028.
2. The District Registrar - Chennai North,
Kuralagam Building first floor,
Parrys, Chennai - 600 108.
3. The Sub-Registrar Office,
Royapuram, TH Road,
Tondairpet, Chennai - 600 021.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to make an endorsement in EC that the settlement deed dated 10.02.2012 vide doc No.468 of 2012 and sale deed dated 23.01.2015 vide document No.234 of 2015 has been cancelled as per direction of the Hon'ble XIX Additional City Civil Court in A.S.No.198 of 2018.



WEB COPY



W.P.No.29978 of 2024

For Petitioner : Mr.S.Ranjith Kumar

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

ORDER

The petitioners herein seek a direction to the respondents 1 to 3 to make an entry in Encumbrance Certificate to the effect that the settlement deed dated 10.02.2012 registered as Doc.No.468 of 2012 and the sale deed dated 23.01.2015 registered as Doc. No. 234 of 2015 have been declared as null and void, in view of the judgement and decree passed by the XIX Additional City Civil Court, Chennai in A.S.No.198 of 2018.

2. The learned counsel for the petitioners submitted that notwithstanding the judgment and decree passed by the Civil Court declaring the registered documents as null and void, the third respondent / registering authority failed to make necessary entry in the Encumbrance Certificate with regard to the subject property.

3. Mr.T.Chezhiyan, learned Additional Government Pleader, who takes notice for the respondents would submit that the Registering authority shall act upon, only on the basis of the communication sent by the civil court.



W.P.No.29978 of 2024

Hence, the representation of the petitioner cannot be considered. On the other hand, if the certified copy of the judgment and decree passed by the Civil court is produced by the petitioner before the registering authority, the same will be considered.

4. In view of the above, this Court is not inclined to issue any positive direction to the respondents, in the absence of any communication to registering authority by the Civil Court. Accordingly, this writ petition is dismissed. However, it is open to the petitioner to obtain the certified copy of the judgment and decree passed by the civil court and produce the same before the third respondent for registration. If the same is presented before third respondent for registration, he shall register the same, if it is otherwise in order. No costs.

17.10.2024

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



WEB COPY



W.P.No.29978 of 2024

S. SOUNTHAR, J.

av

To

1. IG Registration,
100, Santhome High Road,
Pannitanapakkam, Chennai - 600 028.
2. The District Registrar - Chennai North,
Kuralagam Building first floor,
Parrys, Chennai - 600 108.
3. The Sub-Registrar Office,
Royapuram, TH Road,
Tondairpet, Chennai - 600 021.

W.P No.29978 of 2024

17.10.2024

(1/2)



WEB COPY



W.P.No.29978 of 2024