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W.P.No.33307 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 33307 of 2024

Mylathal

...Petitioner

Vs.

The Sub Registrar,
Vellakovil SRO,
KPC Nagar, Vellakovil,
Tiruppur District.

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the respondent to register the document (Sale Agreement dated 11.09.2024) presented by the petitioner for registration on 16.09.2024 in TP/ 194930780/ 2024.

For Petitioner : Mr. R.Ramachandran

For Respondent : Mr. M.Shahjahan
Special Government Pleader.



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ORDER

The petitioner is aggrieved by the fact that the respondent neither registered nor passed any orders on the sale agreement presented by her for registration.

2. The petitioner would submit that she had entered into a sale agreement with one Nagarajan, to sell the properties settled on her by her husband, comprised in SF.No.325, 331B, 359, 362, measuring an extent of 8.13 ½ acres. The petitioner decided to sell the properties for a total sale consideration of Rs.81,22,000/- under an agreement dated 11.09.2024. Pursuant to the above, the petitioner had received an advance of Rs.50,000/- and presented document for registration.

3. The respondent failed to register the same and therefore once again on 16.09.2024, the petitioner had re-presented the document.



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However, the respondent has neither registered nor refused the registration. Therefore, the petitioner is before this Court.

4. The refusal on the part of the respondent to receive and register the sale deed is absolutely without any legal basis. The respondent is statutorily bound to register the document presented before him, except in cases where the registration comes within the exceptions of Section 22 A of the Registration Act.

5. Therefore, the Writ Petition is allowed. Mandamus is issued to the respondent to register the agreement of sale, within a period of 2 weeks of being re-presented by the petitioner. No costs.

12.11.2024

Index : Yes/No
Internet : Yes/No
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To

The Sub Registrar,
Vellakovil SRO,
KPC Nagar, Vellakovil,
Tiruppur District.



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P.T. ASHA, J,

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