



W.P.No.31998 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 31998 of 2024

B.Vimala

...Petitioner

Vs.

The Sub Registrar,
Pallipet Sub Registration Office,
Pallipet,
Tiruvallur District.

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the respondent to register the sale deed dated 16.09.2024 executed by K.Mohan, M.Arunakumari in favour of the petitioner bearing S.No.211/1B – 0.42.00 Ares (1.04 Acres) situated at Nochili Village, Pallipet Taluk.



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For Petitioner : Mr. P.Krishnan
For Respondent : Mr. M.Shahjahan
Special Government Pleader.

ORDER

The petitioner is aggrieved by the fact that the sale deed dated 16.09.2024 submitted by the petitioner for registration before the respondent has neither been rejected nor registered.

2. The petitioner would submit that he had purchased the property measuring 42.00 Ares comprised in S.No.211/1B, Nochili Village, Pallipet Taluk, from one Mohan and his wife, Arunakumari under a sale deed dated 16.09.2024, for a sale consideration of Rs.5,20,000/-. On the very same day, the petitioner has presented the document for registration before the respondent. The respondent has orally informed the petitioner that they have received a legal notice



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from one Gajendra Babu and Revathy stating not to entertain any document, which is the subject matter of the settlement deed dated 02.07.2020. However, the respondent has not refused registration by issuing check slip but has kept it pending since then.

3. This Court is at loss to understand as to how the Registrar is refusing to register the document presented before him for a mere legal notice not backed by Court orders. Further, the respondent is bound to register the document presented before them and only for the reasons set out in Section 22 A, the respondent can refuse registration. That apart, under Section 71 of the Registration Act, the respondent is bound to pass written orders refusing the registration. In this case, the respondent has neither refused registration nor accepted the document for registration and on the contrary has returned the original document.

4. Therefore, mandamus is issued to the respondent to register



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the sale deed dated 16.09.2024, within a period of 2 weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is allowed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

The Sub Registrar,
Pallipet Sub Registration Office,
Pallipet,
Tiruvallur District.



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P.T. ASHA, J,

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