



W.P.No.33266 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.33266 of 2023

Ultra Ready Mix Concrete Private Limited,
Represented by its Chief Executive Officer,
K.R.Ananth Kumar,
Having its registered office at
No.25, Trichy Road,
Kannampalayam Post,
Sulur, Coimbatore -641 402.

... Petitioner

Vs.

1. The Deputy Inspector General of Registration,
Coimbatore Zone,
Coimbatore.
2. The District Registrar (Administration),
Coimbatore South Registration District,
Coimbatore.
3. The Sub Registrar,
Sub Registrar Office,
Negamam,
Coimbatore District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent herein to admit and register the sale deed dated 16.10.2023 executed by the petitioner herein in favour of the proposed purchaser R.Rajasekaran with respect to dry agricultural lands comprised in S.F. Nos.243/3, 243/6 243/8, 243/12, 243/16, 243/19 and 243/23 totally measuring an extent of 3.98 1/4th Acres situated at Andipalayam Village, Kinathukadavu Taluk, Coimbatore District on the market value determined by the 1st respondent herein in MM. No.1227/ E3/ 2022 dated 28.03.2022.

For Petitioner : Mr.V.P.Sengottuvel
Senior Advocate
for Mr.K.R.Nishanth

For Respondents : Mr.R.Vigneshwaran
Government Advocate

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the third respondent herein to admit and register the sale deed dated 16.10.2023 executed by the petitioner herein in favour of the proposed purchaser R.Rajasekaran with respect to dry agricultural lands comprised in S.F. Nos.243/3, 243/6 243/8, 243/12, 243/16, 243/19 and 243/23, totally measuring an extent of 3.98 1/4th Acres situated at Andipalayam Village, Kinathukadavu Taluk, Coimbatore District on



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the market value determined by the 1st respondent herein in MM.

No.1227/ E3/ 2022 dated 28.03.2022.

2. Learned counsel for the petitioner submitted that petitioner was the successful bidder in the auction conducted by State Bank of India under the SARFAESI Act. The sale certificate has also been registered as Doc.No.1429/2022 on the file of the Sub Registrar, Negamam on 02.06.2022. The property is covered under industrial area. The petitioner proposed to sell the lands based on the market value as determined by the first respondent. The first respondent inspected the property and fixed the guideline value for the particular area. Hence the petitioner prepared a sale deed and presented the document before the third respondent for registration, as per the guideline fixed by the first respondent. The third respondent refused to register the sale deed on the ground that the guideline value for the land had been revised and stated that it could be registered only on payment of stamp duty and registration fees on the revised guideline value.



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3. Learned Government Advocate appearing for the respondents filed the counter affidavit stating that the first respondent has no authority to fix the separate guideline value against the general guidelines issued by the Department. If the petitioner agreed to pay the stamp duty and registration fees as per the general guidelines fixed by the Department, they will be ready to register the document.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

5. The petitioner has filed the present writ petition to direct the third respondent to register the sale deed dated 16.10.2023 on the market value determined by the first respondent. Admittedly, the first respondent fixed the separate guideline value for the property. The first respondent has not given any reason as to why he has not fixed the guideline value for the particular survey number, as per the guideline given by the Department. It is for the third respondent to decide and



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follow the guideline value fixed by the Department. The guideline value fixed by the first respondent without any reason will not prevail over the general guideline value fixed by the Department. If the petitioner presents the document for registration in accordance with law, the third respondent is directed to register the same, failing which, enquiry shall be conducted under Section 47(A) of the Registration Act and appropriate order be passed in accordance with law.

6. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

01.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

1. The Deputy Inspector General of Registration,
Coimbatore Zone,
Coimbatore.
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P.VELMURUGAN, J.

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