



WEB COPY



W.A.No.3513 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

W.A.No.3513 of 2024

and

C.M.P.No.27259 of 2024

1.The Inspector General of Registration,
Santhome, Chennai – 600 004.

2.The Deputy Inspector General of Registration,
Registration Department,
Santhome, Chennai – 600 004.

3.The District Registrar-South,
Chennai.

4.The Sub-Registrar,
Sub-Registrar Office,
Thiruporur.

... Appellants

Vs.

Ranvir R Shah

... Respondent



W.A.No.3513 of 2024

Prayer : Writ Appeal filed under Clause 15 of Letters Patent against the order dated 19.06.2024 made in W.P.No.32407 of 2023 on the file of this Court.

For Appellants : Mr.B.Vijay
Additional Government Pleader

For Respondent : Mr.A.R.L.Sundaresan
Senior Counsel

J U D G M E N T

(Judgment was delivered by **S.S. SUNDAR, J.**)

This Writ Appeal is directed against the order of the learned Single Judge dated 19.06.2024 allowing the writ petition in W.P.No.32407 of 2023 filed by the sole respondent for issuance of a Writ of Mandamus directing the Sub-Registrar, the 4th appellant herein, to intimate to the respondent the differential registration fee that is payable for the registration of the release deed dated 12.03.2021 and to return the release deed on the remittance of the amount by the respondent/writ petitioner.



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2.The issue before this Court is whether the release deed dated 12.03.2021 in favour of the respondent/writ petitioner releasing an extent of more than 20 Acres of land comprised in S.No.12, 13/1, 13/2, 13/3 of Pudupakkam Village, is required to be valued along with the building.

3.Learned Single Judge, on going through the recitals of the documents and settled legal principles, held that the release deed is not in respect of the superstructure and that the superstructure, which is part of construction agreement, subsequent to the release deed, cannot be valued for registration of the release deed in the year 2021. The document which is the subject matter of this writ petition clearly shows that the property measuring an extent of 23 Acres and odd, though was released under the document, it is stated that possession of the property along with building was handed over to the writ petitioner even on 31.03.2011. On the date of release, there is a specific recital to the effect that the buildings on the lands were already demolished. In the Schedule of properties itself, the building is not included. Therefore, the release deed is not in respect of building and therefore, this Court finds no irregularity in the order. Learned Single Judge



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has taken pains to refer to all the documents that were produced before this Court and this Court, on admitted facts and on going through all the documents, has no reason to take a different view.

4. Accordingly, this Writ Appeal is dismissed as devoid of merits. The 4th appellant/Sub-Registrar is directed to return the document forthwith.

(S.S.S.R., J.) (P.D.B., J.)
04.12.2024

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Internet : Yes

Index : Yes

Neutral Citation : Yes

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