



W.P.No. 36727 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated :05.12.2024

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.36727 of 2024

S.Ganeshkumar

... Petitioner

Vs

The Sub-Registrar,
Office of Sub-Registrar,
Gandhipuram,
Coimbatore.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus, directing the respondent to register the release deed dated 21.10.2024 presented by the petitioner which is kept pending in Doc.No.P/Gandhipuram/384/2024 on the file of respondent and return the same after completion of registration formalities by considering the petitioner's representation dated



W.P.No. 36727 of 2024

22.11.2024.

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For Petitioner : Mr.N.Ponraj

For Respondent : Mrs.C.Meera Arumugam
Additional Government Pleader

ORDER

This Writ Petition is filed for a Mandamus, to direct respondent to register the release deed dated 21.10.2024 presented by the petitioner which is kept pending in Doc.No.P/Gandhipuram/384/2024 on the file of respondent and return the same after completion of registration formalities by considering the petitioner's representation dated 22.11.2024.

2. The release deed submitted by the petitioner for registration has been kept pending by the respondent from 21.10.2024 onwards.

3. The petitioner would submit that the subject property belonged to his father Subramanian, on whose death on 12.01.2016, the

2/5



petitioner, his brother-S.Vijayakumar, mother-Palaniammal and sister-Uma Maheswari inherited the properties of their father. The mother and sister had released a deed in favour of the petitioner. These documents were presented for registration, however, the same was kept pending in pending Document No.P/Gandhipuram/348/2024. Therefore, the petitioner has approached this Court. He would submit that the original document had gone missing and he had given a complaint before the Thudiyalur Police Station.

4. The petitioner would submit that the respondent has not proceeded to take steps to release the documents. Therefore, the petitioner is before this Court.

5 Heard the learned counsels on either side.

6. The petitioner though had not produced the original document, had produced the certified copy of the very same document. Further,



W.P.No. 36727 of 2024

the documents in question is registered in the office of the respondent.

Therefore, the conduct of the respondent by returning or not registering the document is clearly a case of non-performance of his statutory duty and thereafter a Mandamus has to be issued. Accordingly, this writ petition is allowed and the respondent is directed to register the release deed, within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

05.12.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

ssn

To

The Sub-Registrar,
Office of Sub-Registrar,
Gandhipuram,
Coimbatore.



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W.P.No. 36727 of 2024

P.T.ASHA, J.,

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W.P.No.36727 of 2024

05.12.2024