



WP(MD). No.17678 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 10/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.17678 of 2023

Nagarajan.S

... Petitioner

Vs

The Sub-Registrar,
O/o. the Sub-Registrar,
Aruppukottai,
Virudhunagar District..

... Respondent

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to receive and register the sale deed dated 05.04.2023 executed by one A. Sankarapandian in favour of the petitioner for the valuable consideration of Rs.2,61,000/- in respect of house Plot No.K/7 measures about 882 Sq.fts comprised in Survey No.150/2A situated at Palayampatti Village, Aruppukottai Taluk, Virudhunagar District within a stipulated time fixed by this Court.

For Petitioner : Mr.I.Suthakaran,

For Respondent : Mr.M.Siddharthan
Addl. Government Pleader



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ORDER

The writ petition has been filed for a mandamus to direct the respondent to receive and register the sale deed dated 05.04.2023 executed by one A. Sankarapandian in favour of the petitioner for the valuable consideration of Rs.2,61,000/- in respect of house Plot No.K/7 measures about 882 Sq.fts comprised in Survey No.150/2A situated at Palayampatti Village, Aruppukottai Taluk, Virudhunagar District within a stipulated time fixed by this Court.

2. The petitioner presented a sale deed dated 05.04.2023. However, the same has not been received and registered by the respondent.

3. The learned Additional Government Pleader, on instructions, would submit that though the petitioner purchased the property, suppressing the title from the year 1980, there is some double entry also found in the encumbrance certificate. Therefore, the document has not been registered.



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4. A perusal of the instruction given to the respondent, it indicate that the earlier document was registered in the year 1980 in Doc.No. 2817/1980. Subsequently in the year 2010, the vendor of the petitioner has purchased the property. Therefore, even assuming that there are any subsequent document, that will not bind the petitioner. Further, the registering authority has no power to go into the issue of title and it is for the concerned party to establish their right in the manner known to law. To establish the said right, registered document is absolutely necessary. In such view of the matter, the respondent is directed to register the document.

5. The writ petition is disposed of with the above direction. No costs.

10.09.2024

NCC : Yes/No
Index : Yes/No
RR

TO
1. The Sub-Registrar,
O/o. the Sub-Registrar,
Aruppukottai, Virudhunagar District..

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N.SATHISH KUMAR,J

RR

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