



WP(MD). No.21425 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 09/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.21425 of 2024

M/s.Fresh Farms Enterprises
D.No.73 111 M-11 New ASTC HUDCO
7th Cross Street, Hosur Town
Krishnagiri District

... Petitioner

Vs

1. Inspector General of Registr,
Ation, (Registration Department),
No. 100, Santhome High Road,
Chennai 600 028.

2. Deputy Inspector General Of,
Registration, (Registration Department),
Integrated Registration Department Campus,
Tirunelveli 2.

3. The District Registrar,
(Registration Department),
Palaiyankottai Registrar Office,
Palaiyankottai,
Tirunelveli.

4. The Sub Registrar,
(Registration Department),
Burkitmanagar,



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Tirunelveli,
Tirunelveli District..

... Respondents

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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to register the consent deed dated 29.01.2024 i.e. pending Doc. No. 1 of 2024 on the file of the 4th respondent and furnish the registered consent deed within stipulated a period of time without levying any further stamp duty and registration charges.

For Petitioner : Mr.R.Ezhilarasan,
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed for a direction to the respondents to register the consent deed dated 29.01.2024 i.e. pending Doc. No. 1 of 2024 on the file of the 4th respondent and furnish the registered consent deed within stipulated a period of time without levying any further stamp duty and registration charges.

2. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.



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3. According to the petitioner, he has purchased a property under a sale deed dated 19.03.2021 and the same has been executed in Doc.No. 1369/2021 from one Sivasubramaniam and Senthil Arumugam, who are the brothers. While so, a document has been created in favour of third parties by the vendors. Therefore, the petitioner filed suit against the brothers of the vendors, wherein injunction was granted on 05.10.2023. During the pendency of the suit, the brother of the vendor has executed a settlement in favour of his son and the same was also registered and when the facts were revealed, the settlement deed has been cancelled and a consent deed has been executed in favour of the petitioner herein by one of the brother, ie., vendor. However, the consent deed was kept pending by the 4th respondent without registering. The 4th respondent seeking clarification that how the document could be registered pending suit. Therefore, the petitioner is before this Court.

4. Though so many grounds have been raised as if the document does not require any stamp and registered as it is, this Court when posed a question to the learned counsel for the petitioner, the learned counsel for the petitioner would submit that it is suffice if a direction is given to the respondents to consider and register the document as per law.



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5. In such view of the matter, the respondents shall register the document as per law and if the petitioner is not agreeable for any orders, it is open for him to challenge the same in the manner known to law.

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

09.09.2024

NCC : Yes/No

Index : Yes/No

RR

TO

1. Inspector General of Registration,
(Registration Department),
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2. Deputy Inspector General Of,
Registration, (Registration Department),
Integrated Registration Department Campus, Tirunelveli 2.
3. The District Registrar,
(Registration Department),
Palaiyankottai Registrar Office,
Palaiyankottai, Tirunelveli.
4. The Sub Registrar,
(Registration Department),
Burkitmanagar, Tirunelveli,
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N.SATHISH KUMAR,J

RR

**ORDER
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