



W.P(MD)No.21702 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.21702 of 2024

Markandeyan

... Petitioner

Vs.

The Sub Registrar (Joint II),
Dindigul, Dindigul 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 register petitioner sale deed dated 23.07.2024 relating to the land in Survey No. 525/2A1 measuring to an extent of 0.47 $\frac{3}{4}$ acre and Survey No.525/3A1A measuring to an extent of 0.52 $\frac{1}{4}$ acre, total extent of 1 acre situated at Pallapatti Village, Dindigul West Taluk, Dindigul District within the time frame fixed by this Court by considering the petitioner's notice dated 10.08.2024.

For Petitioner : Mr.S.Elam Bharathi

For Respondent : Mr.P.Subbaraj,

Special Government Pleader

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



W.P(MD)No.21702 of 2024

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2.It is the case of the petitioner that he purchased the lands in Survey No.525/2A1 measuring to an extent of 0.47 $\frac{3}{4}$ acre and Survey No.525/3A1A measuring to an extent of 0.52 $\frac{1}{4}$ acre, situated at Pallapatti Village, Dindigul West Taluk, Dindigul District, from one Balakrishnan, who purchased the property from one Renitha through a registered sale deed dated 11.04.2022. On 23.07.2024 when he presented the sale deed for registration, the respondent refused to register the same on the ground that the property is under valued. Thereafter, on the next day ie., 24.07.2024, the petitioner re-presented the sale deed, stating that his vendor has paid the stamp duty and registration fee for his sale deed dated 11.04.2022. However, the respondent, without passing any order, orally once again refused to register the document. Therefore, the petitioner has filed this Writ Petition, seeking a direction to register the sale deed of the petitioner.

3.Mr.P.Subbaraj, learned Special Government Pleader, who takes notice for the respondent, on instructions, submits that if the petitioner presents the document at any time, the same will be registered as per law.



W.P(MD)No.21702 of 2024

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4.The said submission made by the learned Special Government Pleader for the respondent is recorded.

5.In such view of the matter, I direct the petitioner to present the document before the respondent. On such presentation, the respondent is directed to register the same in accordance with law. It is made clear that at the time of registration, if the Sub Registrar is of the opinion that the document is under valued, firstly he has to register the document and immediately thereafter, has to refer the matter for determination to the Collector. Instead of doing so, he cannot straightaway refuse to register the document.

6.With the above direction, this Writ Petition is disposed of. No costs.

11.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To
The Sub Registrar (Joint II),
Dindigul, Dindigul District.



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W.P(MD)No.21702 of 2024

N.SATHISH KUMAR, J

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W.P(MD)No.21702 of 2024

11.09.2024