



W.P.(MD)No.19883 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.19883 of 2018

Mr.P.Arumugam

... Petitioner

Vs.

Sub Registrar,
Office of the Sub Registrar,
Gujiliamparai,
Dindigul District.

.... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 02.11.2016 for accepting and registering the sale deed to be executed by him and his brother P.Perumal Raju with respect S.No. 319/2u1 and 319/2u2 located at Nagaiyakottai Village, Veda sandur taluk and to pass appropriate orders within a specific time frame.

For Petitioner : Mr.S.Anand Chandrasekar
M/s.Sarvabhauman Associates

For Respondent : Mr.C.Sateesh,
Government Advocate.



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ORDER

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This Writ Petition has been filed seeking direction to the respondent to consider the petitioner's representation dated 02.11.2016 for accepting and registering the sale deed to be executed by him and his brother P.Perumal Raju in respect of S.Nos. 319/2u1 and 319/2u2, located at Nagaiyakottai Village, Vedasandur taluk and to pass appropriate orders within a specific time frame.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent and perused the materials available on record.

3. It is the case of the Writ Petitioner that when the petitioner approached the respondent with a draft sale deed along with relevant documents seeking approval for registration, the respondent submitted that unless the earlier agreement executed by the petitioner and his brother is cancelled, he cannot permit registration of sale deed. In this regard, the petitioner made a representation on 02.11.2016 requesting to accept and register the sale deed. Since no action was taken, the petitioner has filed this Writ Petition.



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4. The issue in hand is no longer *res integra* in view of the decision of the Division Bench of this Court in *N. Ramayee v Sub-Registrar*, reported in (2020) 6 CTC 697, wherein it is held that registration of the sale agreement is not a bar for subsequent registration. Hence, the insistence of the entry with regard to the earlier document viz., sale agreement will not be a bar for dealing with the property in any manner. Any such document like sale deed is presented by the petitioner, the same shall be registered by the respondent according to law. Accordingly, the respondent is directed to register the sale deed presented by the petitioner, in accordance with law.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

06.08.2024

NCC : Yes/No
Index : Yes/No
vsm



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N.SATHISH KUMAR, J.

vsm

To

Sub Registrar,
Office of the Sub Registrar,
Gujiliamparai,
Dindigul District

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