



WP(MD). No.24632 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 19/10/2024

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The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.24632 of 2024

Junofy Anto Rozarina

... Petitioner

Vs

1. The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai 600 028.

2. The District Registrar,
Office of the District Registrar,
Madurai North,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakambeeram,
Y.Othakadai,
Madurai.

3. The Sub Registrar,
Office of the Sub Registrar, Vadipatti,
Kulasekaran Kottai Road, Madurai
North, Dindigul Main Road,
Vadipatti 625 218.

... Respondents



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PRAYER :-

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Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to direct the 3rd respondent to implement the order passed by his proceedings in Na.Ka.No. 4636/Aa1/2022 dated 12.07.2022 and consequently direct the 3rd respondent to register the sale deed document in TP/109184243/2022, TP/109179762/2022, TP/109181364/2022 dated 27.01.2022 in light of the section 35 and Rule 162 of the Registration Act, 1908 based on the subsequent representation of the petitioner as well as issued tokens dated 07.07.2022.

For Petitioner : Mr.S.Sivaprakash
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

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

2. The writ petition has been filed for a mandamus directing the 2nd respondent to direct the 3rd respondent to implement the order passed by his proceedings in Na.Ka.No. 4636/Aa1/2022 dated 12.07.2022, wherein, a direction has been issued to the 3rd respondent to conduct enquiry under Section 35 of the Registration Act, 1908 (hereinafter referred to as 'the



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Act') read with Rule 162 of the Registration Rules.

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3. I have considered the rival submissions and perused the materials available on record.

4. The petitioner has given application before the District Registrar/2nd respondent and the 2nd respondent directed the 3rd respondent to conduct enquiry and go for compulsory registration as contemplated under Section 35 of the Act. This order has been passed on 12.07.2022. However, no steps have been taken. When the law is very clear that empowers the 3rd respondent to go for compulsory registration by issuing summons, he has to follow the procedure and to implement the orders of the 2nd respondent in this regard and take steps for conducting enquiry and pass orders as per Section 35 of the Act and as per the procedure contemplated under the Schedule XII of the Act.

5. Therefore, the writ petition is disposed of with a direction to the 3rd respondent to implement the orders of the 2nd respondent on presentation of documents and after issuing summons to the parties.



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Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order. No costs.

19.10.2024

RR

TO

1. The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai 600 028.

2. The District Registrar,
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N.SATHISH KUMAR,J

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**ORDER
IN
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Date : 19/10/2024