



WP(MD). No.26969 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 19/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.26969 of 2023
and WMP(MD) No.23163 of 2023

1. Santha,

2. Sathish

... Petitioners

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai 600028..

2. The Joint Sub Registrar No.Iv,
Madurai..

... Respondents

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 enter the sale certificate dated 22.08.2008 issued by the First Additional Subordinate Judge, Madurai in favour of G.Kalyanasundaram in Book 1 under Section 89 of the Registration Act, 1908 without insisting for payment of any stamp duty or filing charges as per G.O.Ms.No.28 dated 23/03/2023.



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For Petitioner : Mr.T.R. Jeyapalam,
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

The writ petition has been filed for a mandamus directing the respondents to enter the sale certificate dated 22.08.2008 issued by the First Additional Subordinate Judge, Madurai in favour of G.Kalyanasundaram in Book 1 under Section 89 of the Registration Act, 1908 without insisting for payment of any stamp duty or filing charges as per G.O.Ms.No.28 dated 23/03/2023.

2. The petitioners become successful auction purchaser in the Court auction sale and sale certificate has also been issued in his name on 18.08.2008. The copies of the sale certificate also forwarded to the 2nd respondent on 22.08.2008. However, the same has not been filed under Section 89(4) of the Registration Act. Hence, the petitioner is before this Court.

3. The learned Special Government Pleader would submit that though copies have been forwarded from the Court, neither the case



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number nor the date of the order has been mentioned.

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

5. When the sale certificate has been forwarded by the Court, merely on the ground of not mentioning of the date and case number, the 2nd respondent cannot keep the same pending without making any entry and to enquire about the suit number and date of order. Hence, there shall be a direction to the respondents to enter the sale certificate forwarded to them by the concerned Court within a period of seven days from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

19.09.2024

RR



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2. The Joint Sub Registrar No.IV,
Madurai..



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**ORDER
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