



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4035 of 2025

Sekar Ramasamy

... Petitioner

Vs.

1.The Inspector General of Registration,
#100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalaipuram,
Chennai, Tamil Nadu 600 028.

2.The District Registrar,
Vellore District Registration Office,
Integrated Building of Registration Department,
Veppamara Street, Velppadi,
Vellore 632 001.

3.The Sub Registrar,
Sub Registrar Officer,
No.46, Vellore Road,
Tharapadavedu Village,
Katpadi 632 007.

4.The Authorised Officer,
Canara Bank – Vellore Main Branch (01129)
1A, IRCS Building,
Town Hall Road,
Vellore 632 004

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondent to consider the representation dated 27.09.2024 and to direct the 3rd Respondent to register the sale certificate issued dated 22nd may 2024 in favour of the petitioner by the 4th Respondent enable petitioner to hold the peaceful possession and enjoyment of the ownership under the registered sale certificate issued under Rule 9 (6) of the Security Interest (Enforcement) Rules, 2002 by resolving petitioner grievances.

For Petitioner : Mr.B.Krishnan

For Respondents : Mr.B.Vijay
Additional Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 3rd respondent to entertain the Sale Certificate that has been issued by the 4th respondent in favour of the petitioner.



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2. Heard Mr.B.Krishnan, learned counsel appearing on behalf of the petitioner and Mr.B.Vijay, learned Additional Government Pleader appearing on behalf of respondents 1 to 3.

3. The grievance of the petitioner is that the 4th respondent has issued the Sale Certificate in favour of the petitioner and when it is presented for registration, the 3rd respondent is not entertaining the document on the ground that there is an attachment reflected in the Encumbrance Certificate which was done by the Commercial Tax Department.

4. The learned Special Government Pleader appearing on behalf of respondents 1 to 3 submitted that the petitioner has not presented the document as per the procedure and therefore, there was no occasion for the 3rd respondent to apply his mind and decide as to whether the registration should be done or in case the same is refused, to issue a refusal Check Slip.



5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to submit the Sale Certificate before the 3rd respondent through proper procedure. The 3rd respondent on receipt of the same, shall proceed further to register the document, if it is otherwise in order and if in case, the 3rd respondent refuses to register, proper reasons shall be assigned by way of a refusal Check Slip. This process shall be completed, within a period of ten days from the date of receipt of the document presented for registration by the petitioner.

6. This writ petition is disposed of with the above directions. No Costs.

12.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1. The Inspector General of Registration,
#100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalaipuram,
Chennai, Tamil Nadu 600 028.



2.The District Registrar,
Vellore District Registration Office,
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3.The Sub Registrar,
Sub Registrar Officer,
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N. ANAND VENKATESH, J.

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