



Writ Petition No.10278 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.10278 of 2025

SV.Ramaswamy
S/o.(late) AR Sevuganchettiar,
No.22/1 Ormes Road, Kilpauk,
Chennai 10

Petitioner

Vs

1. The Inspector General Of Registration
No.100 Santhome High Road, Chennai 600004.

2.The Sub-Registrar,
No.8 Taluk Office Complex,
Kangeyam 638701.

3.The Official Liquidator,
Reg No. IBBI/002/IP-N00381/2019-2020/12661
No.42b Sree Krishna Flats, S-1 2nd Floor, LIC
Nagar, IInd Street, Madipakkam, Chennai.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the proceedings of the second respondent in Na.Ka.No. 17/2025 dt.10.01.2025 and quash the same and consequently direct the second respondent to file the sale certificate in Book I under Section 89(4) of the Registration Act.



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For Petitioner : Mr.P.Arun Pandiyan

For Respondents : Mr.K.Karthick Jagannath
Government Advocate [R1 & R2]

ORDER

This writ petition has been filed challenging the impugned proceedings of the second respondent dated 10.01.2025 and for a consequential direction to the second respondent to receive the sale certificate dated 26.12.2024 and make necessary entry in Book-I under Section 89(4) of the Registration Act.

2. Heard Mr.P.Arun Pandiyan, learned counsel for petitioner and Mr.K.Karthick Jagannath, learned Government Advocate appearing for respondents 1 and 2.

3. The proceedings have been issued by the second respondent mainly on the ground that the petitioner did not pay the filing fees. In the considered view of this Court, the filing fees which was insisted under G.O.Ms.No.28, dated 23.03.2023 has already been put to challenge and the Division Bench of this Court has entertained the writ petition and the



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operation of the said Government Order has been stayed by an order dated 13.04.2023. In view of the same, there is no question of insisting for payment of filing fees to receive the sale certificate in order to make necessary entry in Book-I. In view of the above, the impugned proceedings of the second respondent dated 10.01.2025 is hereby quashed and there shall be a direction to the second respondent to receive the sale certificate dated 26.12.2024 and make necessary entry in Book-I under Section 89(4) of the Registration Act. It is made clear that the sale certificate will be entertained and will be received and entry will be made in Book-I without the filing fees subject to the final result in the writ petition where the concerned Government Order has been put to challenge.

This writ petition is allowed with the above direction. No costs.

26.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



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N.ANAND VENKATESH, J

gm

To

1. The Inspector General Of Registration
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2.The Sub-Registrar,
No.8 Taluk Office Complex,
Kangeyam 638701.

3.The Official Liquidator,
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