



W.P. No.20827 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.20827 of 2025

1. N.Rajam
2. Saraswathy Venkatesan
3. M/s.Evershine Garden City (P) Ltd,
Having officer at :
No.10, Artisan Shanmugam Street,
Ayanavaram, Chennai 600 023.

... Petitioner(s)

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Foreshore Estate,
Chennai 600 028.
2. District Registrar,
JCK Nagar,
Kancheepuram Road,
Chengalpet.
3. Sub Registrar,
Sriperumbudur, Chetty Street,
Pincode 602 105.

... Respondent(s)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned Refusal Check Slip dated 21.05.2025 issued by the 3rd respondent for not registering the Sale Deed as being illegal, arbitrary, ultra-vires and contrary to law and consequently set aside the same and direct the Registration of Sale Deed dated 17.10.2024 and hand over the registered sale deed after its registration.

For Petitioner(s) : Mr.P.S.Raman
Senior Counsel for
M/s.Anupam Raghuraman

For Respondent(s) : Mr.U.Baranidharan
Special Government Pleader

ORDER

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

2. The present writ petition is filed praying for a certiorarified mandamus, to set aside the impugned Refusal Check Slip dated 21.05.2025, issued by the 3rd respondent for not registering the Sale Deed and to consequently direct the registration of Sale Deed dated 17.10.2024.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the absolute owner of the land bearing Plot No.96-B, measuring an



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extent of 3514 Sq.Ft., comprised in Survey Nos.1317/1D Part, 1317/2B Part and 1317/2C Part as per New Patta Survey Nos.1317/1D1A Part, 1317/2B1A1A1 Part and 1317/2C1A Part attached with the right to use the common passage, situated in Sriperumbudur C Village, Sriperumbudur Taluk, Kancheepuram District.

3.1. It is submitted by the learned counsel for the petitioner that the 1st and 2nd petitioners acquired title over the property comprised in Old Survey Number 1317/2C vide Sale Deed dated 26.12.2005 bearing Doc. No. 11539 of 2005, registered in the office of the Sub-Registrar, Sriperumbudur. Similarly, the 3rd Petitioner had acquired title over the property comprised in Survey Numbers 1317/1D and 1317/2B vide Sale Deed dated 23.02.2006, bearing Doc.No. 2263 of 2006 registered on the file of the Sub-Registrar, Sriperumbudur.

3.3. It is submitted by the learned counsel for the petitioner that the petitioners along with adjacent land owners obtained approval for a residential layout from the Department of Town and Country Planning bearing Approval No.29/2009 in Na.Ka.No.22709/08/LA2 dated 02.05.2009. Thereafter, petitioner along with adjacent land owners entered into a Joint Development Agreement dated 04.05.2011 with M/s. Lancor Holdings Limited for development of approved Plots into residential Villas. It is further submitted that the petitioners herein have also executed a Power of Attorney dated 04.05.2011 in favor of



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M/s.Lancor Holdings Limited bearing Doc. No. 868/2011 registered in the office

of the Sub-Registrar, Sriperumbudur.

3.4. It is submitted by the learned counsel for the petitioner that M/s. Lancor Holdings Limited had nominated one Mrs. C. Krishnaveni to purchase a portion of the property belonging to the petitioners namely Plot No. 96B measuring an extent of 3,514 Sq. Ft along with a right to use the common passage. It is further submitted that M/s. Lancor Holdings Limited and Mrs. C. Krishnaveni entered into an agreement of sale and executed a Sale Deed for the Sale of Plot No. 96B on 17.10.2024. M/s. Lancor Holdings Limited executed the Sale Deed on behalf of the petitioners as power agent and presented the same for registration before the office of the 3rd Respondent and the same was acknowledged vide a Registration Receipt bearing No.17093 dated 17.10.2024. However, the 3rd Respondent refused to register the Sale Deed for the reason, that a suit viz., OS. No. 89 of 2024 is pending before the District Munsif Court, Sriperumbudur, involving the subject property.

3.5. Aggrieved by this M/s. Lancor Holdings Limited submitted a representation dated 20.11.2024, stating that there is no order of stay or injunction passed by the Munsif Court and that there is no legal impediment for the 3rd Respondent to register the Sale Deed. It is further submitted that M/s. Lancor Holdings Limited issued another representation dated 04.03.2025



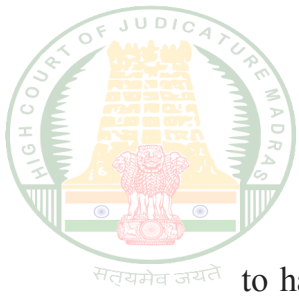
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seeking registration of the Sale Deed. In response the 3rd respondent issued a notice dated 25.03.2025 addressed to M/s. Lancor Holdings Limited, calling for enquiry on 05.04.2025. M/s. Lancor Holdings Limited, participated in the enquiry and also filed a written response dated 05.04.2025 along with a list of annexures. However, the 3rd respondent returned the Sale Deed dated 17.10.2024 and issued a Refusal Check Slip dated 21.05.2025 bearing No. RFL / Sriperumbudur/Book 2/3, on the premise that the Patta mentions the name of M/s.Evershine Garden City Private Limited who is the 3rd petitioner herein, while the corresponding entry in the 'A' Register on verification was found to be in the name of one Ranganathan.

3.6. It is further submitted that assuming that even if there is a mismatch or discrepancy between the 'A' Register and the Patta that may not be a reason for refusing registration and placed reliance upon the Circular dated 12.07.2024 issued by Inspector General of Registration, wherein it was held as under:

“Circular
No.22482/C1/2022. Dt.12.07.2024

a) Vide Inspector General of Registration Circular No.58804/L1/2004 dated 8.11.2004 it has been already instructed that registering officers should not insist the registrants to produce Chitta, Adangal, Rental value certificate etc. Moreover, in the said circular it was stated that if any violation is found, severe disciplinary action would be initiated against the registering officer.



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Further, it is hereby reiterated that if registering officers are found to have passed an order of refusal on the grounds that the executant of a document has not produced Chitta, Adangal, FMB Sketch, then severe disciplinary actions will be taken.”

4. When this was pointed out, the learned counsel for the respondent would submit that they would agree to the above position and that the petitioners may re-present the paper and the same will be registered, if it is otherwise in order.

5. In view thereof, the impugned refusal check slip is set aside, it is open to the petitioner to re-present the sale deed and the 3rd respondent would register the sale deed if it is otherwise in order. If for any reason the 3rd respondent is of the view that the registration ought to be refused he would issue a refusal check slip and assign reasons for the same.

6. Accordingly, the writ petition stands disposed of. No costs.

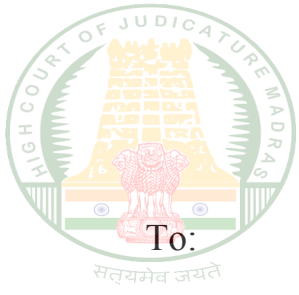
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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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100, Santhome High Road,
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Chennai 600 028.
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MOHAMMED SHAFFIQ, J.

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