



W.P.No.22089 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P.No.22089 of 2025**

A.S.Shanmugam

... Petitioner

Vs.

1. The District Registrar (Administration),  
(Assistant Inspector General of Registration),  
Registration Department,  
Erode, Erode District.

2. The Sub Registrar,  
Registration Department,  
Chennimalai, Erode District.

3. The Inspector of Police,  
Chennimalai Police Station,  
Erode.

... Respondents

(R3 *suo motu* impleaded as per order of this Court  
dated 23.06.2025)

**PRAYER :** Petition filed under Article 226 of the Constitution of India  
praying for issuance of writ of mandamus, to direct the second respondent  
to return back the original sale deed in Document No.R/Chennimalai/Book  
No.1/3839/24, dated 30.09.2024.



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W.P.No.22089 of 2025

For Petitioner : Mr.C.Prakasam  
For Respondents : Ms.Bakkiya Lakshmi  
Government Advocate for R1 & R2  
Mr.R.Kishore Kumar  
Govt. Advocate (Crl.Side) for R3 /  
newly impleaded respondent

### ORDER

The Inspector of Police, Chennimalai Police Station, Erode, is *suo motu* impleaded as third respondent in this writ petition. Mr.R.Kishore Kumar, learned Government Advocate (Crl.Side), accepts notice for newly impleaded third respondent.

2. This writ petition has been filed seeking issuance of a writ of mandamus directing second respondent to return the original sale deed dated 30.09.2024 registered as Document No.R/Chennimalai/Book No.1/3839/24.

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



W.P.No.22089 of 2025

WEB COPY

4. The case of the petitioner is that he has purchased a property comprised in Old Survey No.311/A, R.S.No.102/5, Door Nos.3/276-12A, 3/276-13, Saravana Nagar, Ottaparai Panchayat, Chennimalai, Erode District from one Samiyappan. When the sale deed was presented for registration, the same was not received by second respondent stating that he was unable to value the premises, as there was resistance from the inmates of the premises. Hence, the present writ petition has been filed.

5. At the outset, it is submitted by Ms.Bakkiya Lakshmi, learned Government Advocate appearing for respondents 1 & 2 that the sale deed would indicate that there is a building in the above property and that the respondent authority had visited the premises for valuing the building. However, there is resistance from the tenants in the said building and therefore, they were not able to value the said building. The valuation of the building is yet to be completed in view of the resistance, thus the sale deed is yet to be registered.

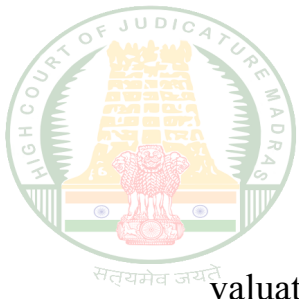


W.P.No.22089 of 2025

WEB COPY

6. Learned Government Advocate would further submit that they would re-visit the premises for the purpose of valuation of the building. In case, Police protection is required, respondents 1 & 2 would request third respondent. When this was pointed out, Mr.R.Kishore Kumar, learned Government Advocate (Crl.Side), appearing for third respondent would submit that if any such request is made, adequate police protection will be granted.

7. Taking into consideration the facts and circumstances of the case and without going into the merits of the case and the submissions made by learned Government Advocate appearing for respondents 1 & 2, there shall be a direction to second respondent to revisit the premises and conduct valuation within a period of two weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is open to respondents 1 & 2 to request for Police protection before the third respondent. If any such request is made, third respondent is directed to provide adequate Police protection to revisit the premises. On such



W.P.No.22089 of 2025

WEB COPY

valuation, the concerned respondent shall register and return the original sale deed, if it is otherwise in order. If for any reason, the Registering Authority finds that the registration ought to be refused, the same shall be done after assigning reasons. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

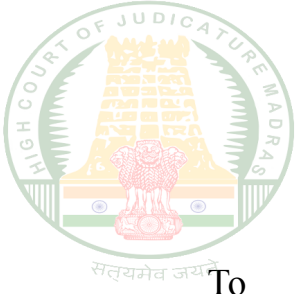
8. Accordingly, this Writ Petition is disposed of. No costs.

**23.06.2025**

NCC: Yes / No  
Index : Yes / No  
Speaking Order : Yes / No

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**Note:** Registry is directed to carry out necessary amendment in all the concerned records.



W.P.No.22089 of 2025

To  
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W.P.No.22089 of 2025

**MOHAMMED SHAFFIQ, J.**

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**W.P.No.22089 of 2025**

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