



W.P No.28592 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

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- 1.Madisetti Ramachandra
- 2.Pitta Venkata Lakshmmamma
- 3.P.Prabhakar
- 4.P.Venugopal
- 5.P.Ramalakshmi
- 6.M.Kumarasamy
- 7.M.Ravindra Kumar
- 8.S.Mustafa
- 9.Posa Srinivasulu

...Petitioners

Vs

- 1.The Inspector General of Registration
Santhome, Chennai.
- 2.The District Registrar
District Registrar Office
Erode, Erode District.
- 3.The Sub Registrar
Joint-1 Sub Registrar Office
Gopichettipalayam
Erode District.
- 4.Senior Sub Registrar
O/o. The Sub Registrar
Indira Nagar, No.22 & 44
BDA Shopping Complex
Domlur, Bangalore-560 071.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to take suitable action on the memo Ref.No.SRO / INDIRA / 244/2016-17 dated 10.11.2016 issued by the 4th respondent and thereby direct the 3rd respondent to register the property in schedule Item - 2 of the sale deed in document No.7293 of 2015 - 16 dated 04.12.2015 on the file of the 4th respondent office executed by the learned XVIII Additional Judge, City Civil and Sessions Court, Bangalore in favour of the petitioner by collecting necessary charges within a stipulated period of time.

For Petitioners : Mr.B.Gopalakrishnan

For R1 to R4 : Mr.Stalin Abimanu
Additional Government Pleader

ORDER

This writ petition has been filed, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to take suitable action on the memo Ref.No.SRO / INDIRA / 244/2016-17 dated 10.11.2016 issued by the 4th respondent and thereby direct the 3rd respondent to register the property in schedule Item - 2 of the sale deed in document No.7293 of 2015 - 16 dated 04.12.2015 on the file of the 4th respondent office executed by the learned XVIII Additional Judge, City Civil and Sessions Court, Bangalore in favour of the petitioner by collecting necessary charges within a stipulated period of time.



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2. The case of the writ petitioner is one M/s.Ceolon & India

General Mission, incorporated under the Indian Companies Act with its registered office at No.25, Pottery Road, Bangalore, represented by its Secretary Rev Benjumen Thimthy. The said mission owned some properties in various state including Tamil nadu, Karnataka and Andhra. The secretary having power to alienate and encumber the properties of the said mission as per the Bye Law of the above said mission. Accordingly, the secretary entered into a sale agreement with the petitioner to alienate the 5 items of the property which are situated in Karnataka, Tamil Nadu and Andhra, by virtue of sale agreement dated 20.12.1998 for a valuable sale consideration of Rs.25,00,000/- and received a sum of Rs.20,00,000/- towards the part sale consideration before the witnesses and also agreed to receive the balance sale consideration at the time of registration of the sale deed. The petitioners were prepared to pay the balance amount. However, the said mission did not come forward to receive the balance amount and to execute the sale deed in favour of the petitioners as per the terms of sale agreement dated 20.12.1998. Hence the petitioner filed a suit for the relief of specific performance in O.S No.4816 of 2012 before the City Civil Court, Bangalore City and the said suit was decreed on 18.12.2015, directing the said mission to execute the sale deed in respect of the suit schedule properties and get it registered in favour of the petitioners after



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receive the balance sale consideration of Rs.5,00,000/- failing which the

petitioner's can get the sale deed executed through process of court. Even then,

the said mission failed to comply with the said judgment and decree.

Therefore, the petitioner has filed a petition in E.P No.1333 of 2015 before the

XVIII Additional City Civil and Sessions Judge at Bangalore. The execution

court executed the sale deed on 04.12.2015 vide doc.no.7293 of 2015- 2016 in

favour of the petitioners at the Senior Sub Registrar Office, Indira Nagar,

Bangalore, who is the 4th respondent, in respect of the properties situated at

Karnataka, Tamil nadu and Andhra. As per the provision under Section 64 to

67 of the Registration Act, the 4th respondent submitted a memo to the 2nd and

3rd respondents in respect of court sale deed registered by the 4th respondent

vide Doc.No.07293/2015-2016 dated 04.12.2015, in which some of the

properties falling under the limits of 2nd and 4th respondents Sub Registrar

Office jurisdiction. Therefore, the 4th respondent gave an intimation slip form

dated 10.11.2016 to the 2nd and 3rd respondents to take necessary action for

making necessary entry in the above 3rd respondent's office sale deed. After

receiving the memo by the 3rd respondent, no action was taken on the memo

and not registered the sale deed executed by the competent civil court. The 3rd

respondent did not permit the petitioner to register the sale deed, based on the

court decree and intimation slip issued by the 4th respondent. Hence, the



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present writ petition is filed.

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3. The learned counsel for the petitioners would submit that it would suffice, if a direction is issued to the 3rd respondent to take action on the memo issued by the 4th respondent dated 10.11.2016, within a reasonable time as fixed by this Court.

4. In view of the above, this Court is inclined to direct the 3rd respondent to take a decision on the memo forwarded by the 4th respondent dated 10.11.2016, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of .

No costs.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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M.DHANDAPANI, J.

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