



W.P.(MD)No.2275 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.2275 of 2025

Vijaya

... Petitioner

/Vs./

The Sub-Registrar
Kannivadi,
Dindigul District

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to release the registered sale deed dated 20.01.2025 which is being kept as pending Document No. P/Kannivadi/3/2025 dated 20.01.2025 vide receipt No. 122/2025 within a time frame by this Court.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.S.P,Maharajan

Special Government Pleader

ORDER

This Writ Petition has been filed for a direction, directing the respondent to release the registered sale deed dated 20.01.2025 which is being kept as pending Document No. P/Kannivadi/3/2025 dated 20.01.2025 vide receipt No.122/2025.



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2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner presented the sale deed for registration dated 20.01.2025, now, it is kept pending as pending document No. P/Kannivadi/3/2025, on the ground that the very same property was already mortgaged and the same was registered vide document No. 39/2011. On the date of presentation of the sale deed in respect of the property, the original mortgagee was made over, which was in favour of another persons. On the same day, the petitioner presented the sale deed for registration and executed in favour of a third person. The deed of mortgage is not an impediment for the registering authority to register the same in respect of the very same property.

4. Therefore, the registering authority cannot keep the document pending on the ground that the mortgage deed is pending.



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5. In view of the above, the respondent is directed to register the sale deed and release the same forthwith, if it is otherwise in order. With the above direction, this Writ Petition stands disposed of. No costs.

27.01.2025

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
LS

TO:-

The Sub-Registrar
Kannivadi,
Dindigul District



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G.K.ILANTHIRAIYAN, J.

LS

Order made in
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