



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 16401 of 2026

E.Sapthagiri
S/o. E.Munirathnam Naidu,
44 Z Block, 10th street,
Anna Nagar, Chennai 40.

..Petitioner(s)

Vs.

1. The District Registrar
182 Bharathi Salai, Royapettah,
Chennai 14
2. The sub Registrar
Anna Nagar Chennai 37

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the 2nd respondent to register the sale certificate dated 22.12.2025 issued by Axis Bank, Mylapore Branch under Section 89(4) of Registration act without asking for any registration charges or stamp duty within a time frame as may be fixed by this court and pass.

For Petitioner(s):

Mr.P.Raja

For Respondent(s):

Mr.Roshan Atiq M., Government Counsel

Order

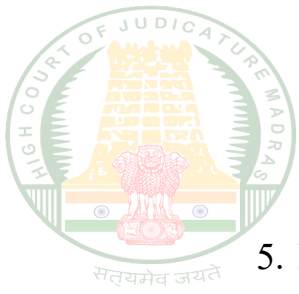
The writ petition has been filed to direct the 2nd respondent to register the sale certificate dated 22.12.2025 issued by Axis Bank, Mylapore Branch under Section 89(4) of Registration Act, without asking for any registration charges or stamp duty.



2. Learned counsel for the petitioner submitted that the petitioner is the absolute owner of Flat No.G-1503 (4A Penthouse), having purchased the same through an e-auction conducted by Axis Bank under the SARFAESI Act. Upon payment of the entire sale consideration, a Sale Certificate was issued in favour of the petitioner by the Authorized Officer of Axis Bank. Further it is alleged that in terms of Section 89(4) of the Registration Act, 1908, the Authorized Officer of Axis Bank forwarded the Sale Certificate to the 2nd respondent by letter dated 22.12.2025, requesting the respondent to make the necessary entries in respect thereof. The petitioner also sent a representation dated 08.01.2026 to register the Sale Certificate. However, the 2nd respondent issued a communication dated 12.01.2026, to the 1st respondent seeking clarification. Since the respondents declined to register the Sale Certificate, the petitioner has approached this Court.

3. Learned counsel for the respondents submitted that in terms of G.O.Ms.No.100, Commercial Taxes and Registration (J2) Department, dated 16.07.2025, the petitioner is liable to pay registration charges at the rate of 3% of the value of the property for filing the Sale Certificate under Sections 89(2) or (4) of the Registration Act.

4. However, the learned counsel for the petitioner submitted that the said Government Order was challenged before this Court and the same was quashed.

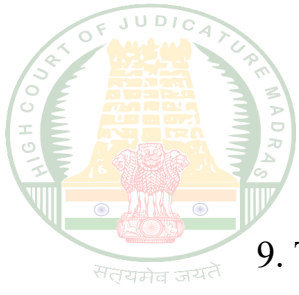


5. In response, the learned counsel for the respondents submitted that a Writ Appeal was filed against the said order and that an interim stay has been granted therein. The said fact has also been admitted by the counsel for the petitioner.

6. At this juncture, learned counsel for the petitioner submitted that the petitioner is ready and willing to pay the registration charges at the rate of 3% in terms of G.O.Ms.No.100, dated 16.07.2025, subject to the outcome of the writ appeal.

7. In such circumstances, the learned counsel for the respondents submitted that they have no objection, if appropriate orders are passed in that regard.

8. Such being the case, this Court permits the petitioner to pay 3% of the Registration Charges and the requisite other Fee under protest. The 2nd respondent is further directed to register the Sale Deed dated 22.12.2025, if presented and otherwise found to be in order, upon receipt of the said 3% registration charges in terms of G.O.Ms.No.100, dated 16.07.2025. Such registration shall be subject to the final outcome of the Writ Appeal, in which an interim stay has already been granted by this Court.



9. This writ petition is disposed of with the above observations. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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KRISHNAN RAMASAMY J.

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