



WEB COPY

WA No. 2237 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2026

CORAM

**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE
AND
THE HONOURABLE MR.JUSTICE R.RAJESH VIVEKANANTHAN**

**WA No. 2237 of 2025
and
CMP No. 17126 of 2025**

1. S.Nedunchezian
S/o. Subramani, Small Street,
Sennasamudram Village,
Thenkadapanthangal Post, Walaja
Taluk, Vellore District

Appellant(s)

Vs

1. Kokila
W/o. Kumaravel, Gandhi Road,
Banavaram, Nemeli Taluk, Vellore
District

2.The District Registrar
Arakkonam Ranipet District

3.The Sub Registrar
Walaja, Ranipet District

4.R Kumaravel
s/o. Raman, Small Stret,
Sennasamudram Village,
Thenkadapanthangal Post, Walaja
Taluk, Vellore District

Respondent(s)

PRAYER

To set aside the WA against the order passed in WP.No.26598/2023 dated 12-09-



For Appellant(s): Mr.S.Patrick

For Respondent(s): Mr A.Ilaya Perumal For R1

Mr. Dominic S.David,SGP For
R2 and R3

Unclaimed - R4

ORDER

(Order of the Court was made by Abdul Quddhose J.)

This writ appeal has been filed, challenging the impugned order dated 12.09.2023 passed by the learned Single Judge of this Court in W.P. No. 26598 of 2023.

2. In the impugned order passed by the learned Single Judge of this Court, a cancellation deed dated 27.10.2017 and the subsequent sale deed dated 27.10.2017 have been ordered to be quashed by allowing the writ petition filed by the first respondent in this writ appeal. On account of unilateral cancellation of the cancellation deed dated 27.10.2017 and the subsequent sale deed dated 27.10.2017, the learned Single Judge in the impugned order has quashed the aforesaid documents by relying upon the decision of the Honourable Full Bench of this Court in the case of *M/s. Latif Estate Line India Ltd. Vs. Mrs. Hadeeja Ammal* reported in *2011 (2) CTC 1*.



3. Though, the law regarding unilateral cancellation is well settled, it has to be noted that in the instant case, the appellant was not heard by the learned Single Judge before passing the impugned order. The appellant is a subsequent purchaser of the property, which was the subject matter of unilateral cancellation made by the first respondent. The documents was standing in the name of the appellant in this appeal. The writ petitioner is none else than the wife of the fourth respondent. On the very same date of the cancellation of the documents, the appellant had purchased the property through a registered sale deed.

4. It is also an admitted fact that even prior to the filing of the writ petition in W.P. No. 26598 of 2023 by the first respondent, the very same first respondent had filed a civil suit in O.S. No. 19 of 2019 on the file of the District Munsif-cum-Judicial Magistrate-I, Walaja, seeking for the cancellation of the very same documents, which were the subject matter of W.P. No. 26598 of 2023.

5. The learned counsel for the first respondent would also fairly submit that the appellant was not heard by the learned Single Judge before passing the impugned order, allowing the writ petition filed by the first respondent in this appeal. The contentions of the appellant as raised in this writ appeal have not



been considered by the learned Single Judge in the impugned order. Since the appellant was not heard by the learned Single Judge in the impugned order and his contentions have not been considered, necessarily, the impugned order passed by the learned Single Judge has to be quashed and the matter remanded back to the learned Single Judge for fresh consideration on merits and in accordance with law.

6. This Court is not expressing any opinion on the merits of the respective contentions before this Court as it is leaving it open for the learned Single Judge to decide.

7. For the foregoing reasons, the impugned order dated 12.09.2023 passed by the learned Single Judge of this Court in W.P. No. 26598 of 2023 is quashed and the matter is remanded back to the learned Single Judge for fresh consideration, leaving it open for the learned Single Judge to decide on merits and in accordance with law as this Court has not expressed any opinion on the merits of the respective contentions in this appeal. However, it is made clear that all the parties to this writ petition shall maintain *status quo* till the learned Single Judge disposes of the writ petition.



8. Accordingly, this writ appeal is disposed of. No costs. Consequently,
connected miscellaneous petition is closed.

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(ABDUL QUDDHOSE J.)(R.RAJESH VIVEKANANTHAN J.)
18-08-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
ab

To

1.The District Registrar
Arakkonam Ranipet District

2.The Sub Registrar
Walaja, Ranipet District



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