



WP(MD)No.22541 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07.08.2026

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THE HONOURABLE MR. JUSTICE C.SARAVANAN

WP(MD)No.22541 of 2026

and

WMP(MD)Nos.16775 and 16776 of 2026

R.Rengasamy

... Petitioner

Vs.

1. The District Registrar,
Pudukkottai District.

2. The Sub-Registrar,
Joint-1 Sub-Registrar Office,
Pudukkottai District.

3. C. Adaikkalam

4. R. Sundappan

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the Respondents No.1 and 2 to take appropriate statutory action to cancel or declare the fraudulent Sale Deed registered as Document No.5330/2026 dated 29.07.2026 on the file of Respondent No.2 as null, void, and ineffective based on the petitioner's representation dated 31.07.2026, within a time-frame fixed by this Court.

For Petitioner : Mr.Kishore Ram for Mr.K.G.Arunkumar
For R1 & R2 : Mr.R.Parthiban
Special Government Pleader

Page No.1 of 6



WP(MD)No.22541 of 2026

ORDER

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In this writ petition, the petitioner has prayed for a Mandamus, directing the Respondents No.1 and 2 to take appropriate statutory action to cancel or declare the fraudulent Sale Deed registered as Document No.5330/2026 dated 29.07.2026 on the file of Respondent No.2 as null, void, and ineffective based on the petitioner's representation dated 31.07.2026, within a time-frame to be fixed by this Court.

2. The petitioner is one of the legal heirs of Late Ramasamy who died on 25.12.1993. The dispute pertains to the aforesaid land measuring an extent of 9.0 Ares [22 cents] in Survey No.240/1, situated at Veppangudi Village, Alangudi Taluk, Pudukkottai District. The case of the petitioner is that the land in question was the ancestral property standing in the name of the petitioner's father Late Ramasamy who died on 25.12.1993 and that after his death, the land devolved by virtue of intestate succession on the following legal heirs except the legal heir at Serial No.5 who pre-deceased the petitioner's father as detailed below:

Sl. No.	Legal heir's name	Age	Relationship
1	Subbhammal	67	Daughter
2	Periyanayagi	65	Daughter
3	Anjammal	60	Daughter



WP(MD)No.22541 of 2026

4	Lakshmi	55	Daughter
5	Pechiammal	-	Daughter
6	Rengasamy	53	Son

3. It is the further case of the petitioner that his elder sister namely, Subbhammal had managed to transfer the patta that was standing in the name of the petitioner's father and that the petitioner's aforesaid sister died. The 3rd respondent has mutated the revenue records and has registered a sale deed in favour of the 4th respondent namely, R.Sundappan. It is the case of the petitioner that a fraudulent sale deed has been executed by the 3rd respondent in favour of the 4th respondent and therefore appropriate action is to be taken against the 3rd respondent.

4. No doubt, the petitioner has a right along with the other siblings. However, the events surrounding the transfer of patta in the name of the petitioner's elder sister Subbammal/mother of the 3rd respondent is to be ascertained and whether patta has to be cancelled if any fraud was committed. If the patta was obtained fraudulently, proceedings under Section 83 of the Registration Act have to be initiated. The petitioner and the other legal heirs will also have to get the sale deed declared as null and void from a competent court of civil jurisdiction since there are several disputed questions of facts.



WP(MD)No.22541 of 2026

Since there is a scope for trial, a Writ Court cannot decide the case in one way or other in a summary proceedings under Article 226 of the Constitution of India.

5. Therefore, the relief sought for by the petitioner at this stage is held to be premature. The petitioner has to take such twin action and succeed in accordance with law. At this stage, the learned counsel for the petitioner submits that the petitioner had already taken steps for cancelling the patta and had also initiated proceedings in W.P(MD)No.21057 of 2026 and an order came to be passed on 24.07.2026 and the sale deed was executed subsequently. Aforementioned statement stand recorded. The petitioner should therefore, have the Sale Deed cancelled in the manner known to law before requesting the respondents to initiate action under Section 83 of the Registration Act particularly, in the light of the judgment of the Hon'ble Supreme Court in ***K.Gopi vs. The Sub Registrar and others*** reported in **2026 (2) SCC 696**.

6. The Writ Petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

07.08.2026

Index : Yes / No



WP(MD)No.22541 of 2026

Neutral Citation : Yes / No
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To

1. The District Registrar,
Pudukkottai District.
2. The Sub-Registrar,
Joint-1 Sub-Registrar Office,
Pudukkottai District.



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WP(MD)No.22541 of 2026

C. SARAVANAN, J.

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ORDER MADE IN
W.P(MD)No.22541 of 2026
DATED : 07.08.2026