

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11700 of 2015

R.Krishnamoorthy

.. Petitioner

Versus

1. The District Registrar
O/o. Registration Namakkal.

2 The Sub Registrar
O/o. Registration Tiruchengode Namakkal
District.

3 R.Saravanan

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents 1 and 2 to cancel the forged sale deed bearing Document No.579/2015 dated 09.01.2015 in favour of the 3rd respondent herein.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.Dig Vijaya Pandian (for R1 and R2)
Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that his ancestors purchased land and property situated in S.No.189/8, Eraiyamangalam Village, Thiruchengode Taluk, Namakkal District and after the demise of his grandfather, the petitioner, his father and mother claimed to have succeeded to the estate and his father without having any independent right and also without getting prior permission from the co-owners sold the joint family property in favour of the 3rd respondent vide registered sale deed bearing Document No.579/15 and the petitioner in this regard sent a legal notice dated 19.03.2015, to the respondents and since, he has not been favoured with any kind of response, came forward to file this writ petition.

3. Heard the submissions of Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.Dig Vijaya Pandian, learned Additional Government Pleader, who accepts notice for the respondents 1 and 2.

4. In the considered opinion of this Court, the points urged by the petitioner involves adjudication of disputed questions of fact and it cannot be gone into by the respondents 1 and 2.

5. In the result, the writ petition is disposed of and the petitioner is at liberty to approach the competent Civil forum to establish his rights, in the manner known to law. No Costs. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

To

1. The District Registrar
O/o. Registration Namakkal.
- 2 The Sub Registrar
O/o. Registration Tiruchengode Namakkal
District.

+ 1 cc to Government Pleader SR 22074

+ 1 cc to Mr.C.Prakasam, Advocate SR 22148

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