

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2810 of 2015
& M.P.No.01/15

T.Tamilarasan

.. Petitioner

Versus

1. The Sub Registrar
Kolathur, Mettur Taluk
Salem District

2. Radhakrishnan
3. K.Balamurugan
4. S.Vasu
5. K.Senthilkumar
6. M.Lavanya

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent to conduct enquiry based on the representation of petitioner dated 04.11.2014.

For Petitioner : Mr.A.Sundaravadhanan
For R1 : Mr.M.L.Mahendran
Government Advocate

ORDER

Heard Mr.A.Sundaravadhanan, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the first respondent and with their consent, the writ petition itself is taken up for disposal at the admission stage.

2. The petitioner seeks for a direction to the respondent to conduct enquiry based on the representation of the petitioner dated 04.11.2014. In the representation, the petitioner has stated that one ***Radhakrishnan** and others, the co sharers of the property in question have attempted to sell the property to one Mr.M.S.Srinivasan, S/o. Sitthan by cancelling the registered lease deed bearing Document No.1472 of ***2012**. Therefore, the petitioner seeks for a direction to the respondent to consider his representation.

3. In my considered opinion, at this stage, no positive direction can be granted based on apprehension. However, it would suffice to point out that the first respondent should take note of the legal position that unilateral cancellation of any registered instrument is not permissible as per law laid down by this Court in several decisions.

With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar
Dt.11.2.15

//True Copy//

Sub Assistant Registrar

***Corrected as per the order
of this Court dt.12.3.15**

Sd/-
Assistant Registrar
Dated:19.3.15

True Copy

Sub Assistant Registrar

To

1. The Sub Registrar
Kolathur, Mettur Taluk
Salem District.

***Corrected order to be substituted
to the order already despatched
on 26.2.15**

1 cc to Mr..A.Sundaravadhanan ,Advocate, SR.No.14488.
1 cc to Government Pleader,Sr.No6385

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pmk.18.2.2015
krd 23.3.2015.