

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2017

CORAM

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.17106 of 2017
and
W.M.P.No.18583 of 2017

Renganathan

... Petitioner

Vs

1.District Registrar
District Registrar office
Virudhachalam
Cuddalore District.

2.Sub Registrar
Sub Registrar Office Pennadam
Viruthachalam Taluk,
Cuddalore District.

3.Kamalam

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider the representation dated 12.05.2017 and further direct to cancel the sale deed dated 08.11.2012 executed by Kamalammal by Doc Nos.2169/ 2012 & 2170/2012 dt. 08.11.2012 registered at the office of the 2nd respondent within stipulated time.

For Petitioner : Mr.G.Kadhiresan

For Respondents : Mr.S.N.Parthasarathi,
Government Advocate (R1 & 2)

O R D E R

Mr.S.N.Parthasarathi, learned Government Advocate, takes notice for the respondents 1 and 2. By consent, the main writ petition itself is taken up for hearing at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a writ of mandamus directing the 1st respondent to consider the representation dated 12.05.2017 and further direct to cancel the sale deed dated 08.11.2012 executed by

the 3rd respondent, which was registered at the office of the 2nd respondent, within a time frame.

3. Mr.S.N.Parthasarathi, learned Government Advocate, appearing for the respondents 1 and 2 submitted that the petitioner has already filed a Civil Suit in O.S.No.207 of 2012, which is the subject matter of the property in the writ petition and therefore, the writ petition is liable to be rejected.

4. Since the petitioner has already filed a Civil Suit and availed an alternative remedy, I do not find any reason to entertain the present writ petition. Hence, the writ petition stands dismissed and it is open to the petitioner to prosecute the suit in O.S.No.207 of 2012. No costs. Connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Registrar
District Registrar office
Virudhachalam
Cuddalore District.

2.The Sub Registrar
Sub Registrar Office Pennadam
Viruthachalam Taluk,
Cuddalore District.

+1cc to Mr.G.Kadhiresan, Advocate, S.R.No.47862
+1cc to the Government Pleader, S.R.No.47295

W.P.No.17106 of 2017

SJ(CO)
CA(14/07/2017)