



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition (MD) No.3223 of 2018

WEB COPY

R.Ganesan

... Petitioner

Vs.

1.The District Registrar,
Dindigul District Registration Office,
Combined Registration Campus,
Collectorate Post,
Dindigul District.

2.The Sub Registrar,
Nagal Naicken Patty Registration Office,
Combined Registration Campus,
Collectorate Post,
Dindigul District.

3.Satheeshkumar

4.A.Karthikeyan

5.P.Karthikeyan

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to cancel the sale deeds registered in document nos.3908/2014 3909/2014 dated 13/08/2014 on the file of the 2nd respondent based on the representation of the petitioner dated 20/11/2017.

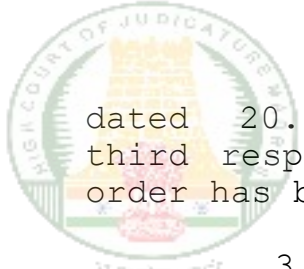
For Petitioner : Mr.M.Benazir Begum

For Respondents 1&2 : Mrs.J.Padmavathidevi
Special Government Pleader.

ORDER

This writ petition has been filed seeking direction to the first respondent to cancel the sale deeds registered in document nos.3908/2014, 3909/2014, dated 13/08/2014 on the file of the second respondent by considering the representation of the petitioner dated 20.11.2017.

2.According to the petitioner, he is the owner of the property to an extent of 19 ½ acres, situated in Adiyanuthu Village, Dindigul District and he has executed power of attorney in favour of the third respondent. The third respondent without the knowledge of the petitioner has executed two sale deeds in favour of the respondents 4 and 5 in respect of the very same property. In the above circumstances, the petitioner submitted a representation



dated 20.11.2017 seeking to cancel the sale deeds executed by the third respondent in favour of the respondents 4 and 5. Since no order has been passed, the present writ petition has been filed.

3. Admittedly, on the date of registration of sale deed, the third respondent is having valid power of attorney. It is also not the case of the petitioner that on the date of execution of power of attorney he is not alive and he has cancelled the power deed. If at all, the petitioner has got any grievance over the execution of the sale deed, it is for the petitioner to approach the competent civil Court and obtain suitable orders and he cannot seek the relief of cancellation of sale deed executed by the third respondent through a valid power of attorney.

4. With the above observation, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub-Assistant Registrar

To

1. The District Registrar,
Dindigul District Registration Office,
Combined Registration Campus,
Collectorate Post,
Dindigul District.

2. The Sub Registrar,
Nagal Naicken Patty Registration Office,
Combined Registration Campus,
Collectorate Post,
Dindigul District.

+One cc to The Special Government Pleader, SR.No.49550

sms
RL/4C/2P/KK/SAR4/28/2/2018

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