

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.17343 of 2013 and
M.P. No.1 of 2013

S. Kaliya Perumal

...Petitioner

v.

1. The District Registrar,
Thiruvallur District,
Thiruvallur.

2. The Sub Registrar,
Sub Registrar Office,
Mannargudi - 614 001.

3. Dr. Sumt. Sujatha Elizabeth Prasad

4. The Branch Manager,
ICICI Bank, Mannargudi Branch,
Mannargudi - 614 001.

5. T.G. Sivakumar

6. P. Kalaiselvan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents 1 and 2 to revoke the sale deed dated 22.6.2012 registered as Document No.2466 of 2012 on the file of the 2nd respondent executed by the 5th respondent in favour of the 6th respondent as being illegal.

For Petitioner : Mr.Sathish for
Mr. R. Prabhakaran

For Respondents : Mr.P.P. Purushothaman
Govt. Advocate - for R1 & R2
Mr.T.Srinivasa Raghavan- for R3
Mr. K. Moorthy - for R4
Mrs. K. Sumathy - for R5
No Appearance - for R6

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 and 2 to revoke the sale deed dated 22.6.2012 registered as Document No.2466 of 2012 on the file of the 2nd respondent executed by the 5th respondent in favour of the 6th respondent as being illegal.

2. The petitioner is seeking to revoke the sale deed executed by the respondents 5 and 6, which power is not available to the respondents 1 and 2. The remedy open to the petitioner is only to file a Civil Suit against the private respondents to get the sale deed cancelled. In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to file a Civil Suit seeking for appropriate relief before the appropriate Civil Court in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Registrar,
Thiruvallur District, Thiruvallur.
2. The Sub Registrar,
Sub Registrar Office,
Mannargudi - 614 001.

+2cc to M/s.K.Sumathi, Advocate in Sr.31457

+1cc to the Government Pleader in Sr.31499

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VSN-II (CO)
RV(12.10.2020)