

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2020

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.29654 of 2013

M/s.Helena Chellamani Charity
Foundation Trust,
No.123/24, 3rd Cross,
Gandhi Nagar,
Krishnagiri, represented by its President,
R.Jayakumar

... Petitioner

.Vs.

- 1.Joint Sub-Registrar No.I,
Krishnagiri.
- 2.J.Mercy Queeny
- 3.Valsa William Carrey
- 4.Grace Ziyon Kumari
- 5.John Pennian Carrey
- 6.Rubas Prasana Kumar
- 7.K.Sundaramoorthy

8. Grace Mercy Home Orphanage Trust,
represented by its Life Time and Managing Trustee,
Archpaul,
No.175, Thiruvannamalai Road,
Krishnagiri Taluk,
Krishnagiri - 635 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 1st respondent to cancel the registration of sale deeds dated 01.03.2012 and 04.04.2012 registered as Document Nos.681 of 2012 and 1322 of 2012 respectively at the 1st respondent office within a stipulated time.

For Petitioner : Mrs.M.R.Sakunthala

For R1 : Mr.P.P.Purushothaman
Government Advocate

For R2 to R8 : No appearance

O R D E R

The petitioner has filed the above writ petition to issue a writ of mandamus directing the 1st respondent to cancel the registration of sale deeds dated 01.03.2012 and 04.04.2012 registered as Document Nos.681 of 2012 and 1322 of 2012 respectively on the file of the 1st respondent.

2.Mr.P.P.Purushothaman, learned Government Advocate appearing for the 1st respondent, submitted that the 1st respondent has no power to cancel the registered sale deeds and the remedy available to the petitioner is only to file a civil suit. The submission made by the learned Government Advocate is fully acceptable. The learned counsel for the petitioner submitted that the petitioner may be given liberty to approach the competent civil Court seeking for cancellation of the sale deeds.

Having regard to the submissions made on either side, since the 1st respondent is not the authority to cancel the registered sale deeds, I am not inclined to entertain the writ petition and accordingly, this writ petition is dismissed. However, it is open to the petitioner to approach the civil Court seeking for cancellation of the sale deeds in accordance with law. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

The Joint Sub-Registrar No.I,
Krishnagiri.

+lcc to the Government Pleader, Sr.No.29498

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