

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.10995 of 2014

1. Mrs. Kannammal
2. Mrs.Kala
3. Mr. Samuel
4. Mr.Chinnadurai

... Petitioners

v.

- 1.The District Collector,
Vellore District.
- 2.The Revenue Divisional Officer,
Vellore District.
3. The Tahsildar,
Arakkonam Taluk,
Vellore District.
4. The Sub Registrar,
Nemili SRO,
Arakkonam Taluk,
Vellore District.

5. Mr. Mohan Naidu
6. V. Ramachandran
7. G. Shanker

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the 4th respondent to cancel the registration of sale deed of Documents Nos. 3948 of 2007 and 3949 of 2007 dated 10.05.2007 registered in favour of G.Sankar/7th respondent herein, consequently direct the 2nd respondent to cancel the patta No.29 issued in the name of G.Sankar/7th respondent herein.

For Petitioners : Mr. Agilan
for Mr. P. Venkateshan

For Respondents: Mrs. K. Bhuvaneswari
Addl. Govt. Pleader - R1 to R3

Mr. B. Kannan
Government Advocate - R4

O R D E R

The petitioners have filed the above Writ Petition to issue a Writ of Mandamus directing the 4th respondent to cancel the registered sale deeds in Documents Nos. 3948 of 2007 and 3949 of 2007, dated 10.05.2007, registered in favour of the 7th respondent and consequently, direct the 2nd respondent to cancel the Patta No.29 issued in favour of the 7th respondent.

2. The petitioners are seeking for the cancellation of the sale deeds dated 10.05.2007 executed in favour of the 7th respondent. By virtue of the registered sale deeds, the 7th respondent also obtained a patta in his favour.

3. It is settled position that the 4th respondent, the Sub Registrar, has no jurisdiction to cancel the registered sale deeds. The remedy open to the petitioners is only to file a Civil Suit seeking for cancellation of the sale deeds. In the case of the petitioners filing a Civil Suit and succeeding in the Civil Suit, thereafter, they can seek for cancellation of the patta. In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly the Writ Petition is dismissed. No costs.

Sd/-
सत्यमेव जयते

Assistant Registrar(CS IX)

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Sub Assistant Registrar

Rj

To

1.The District Collector,
Vellore District.

2.The Revenue Divisional Officer,
Vellore District.

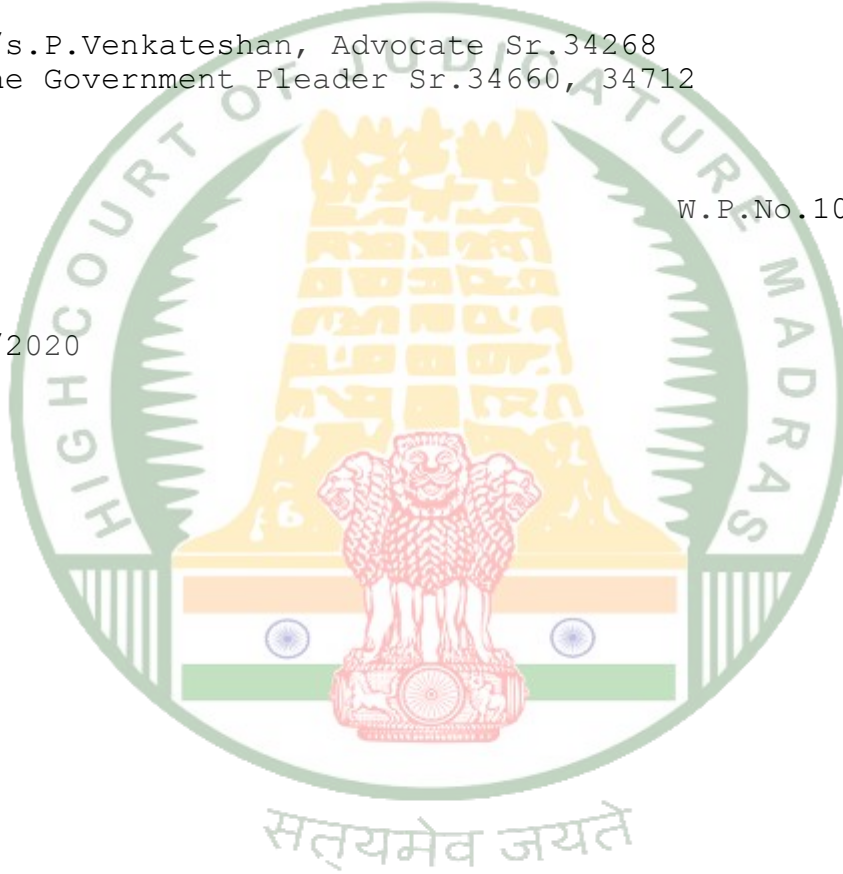
3. The Tahsildar,
Arakkonam Taluk,
Vellore District.

4. The Sub Registrar,
Nemili SRO,
Arakkonam Taluk,
Vellore District.

+1cc to M/s.P.Venkateshan, Advocate Sr.34268
+1cc to the Government Pleader Sr.34660, 34712

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srg 05/11/2020



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