

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.07.2020

CORAM:

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.15845 of 2017

Mr. M. Moideen Sherif

... Petitioner

v.

1. The District Collector,
Collectorate, Kancheepuram District.
2. The District Registrar,
Chengalpattu Registration District,
Chengalpattu.
3. The District Revenue Inspector,
District Revenue Office,
Kancheepuram District.
4. The Tahsildar,
Sriperambudur Taluk,
Sriperambudur,
Kancheepuram District - 602 105.
5. The Sub Registrar,
Sub Registration Office
Walajabath,
Kancheepuram District - 631 605.

6. K.S. Pandurangan
7. P.K. Vijayakumari

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 to 5 to dispose the petitioner's representation dated 04.04.2017 within the stipulated period prescribed by this Court.

For Petitioner : No Appearance

For Respondents : Ms. A. Mathumathi,
Special Govt. Pleader - for R1, R3 & R5
Mr.P.P. Purushothaman,
Govt. Advocate - for R1 & R5

O R D E R

When the matter was listed for hearing on 23.06.2017, there was no representation for the petitioner. Subsequently, when the matter was listed for hearing on 14.07.2020, on that day also, there was no representation for the petitioner. Hence, the matter was adjourned to today i.e. 24.07.2020. Today also, there was no representation for the petitioner.

2. Ms. A.Mathumathi, learned Special Government Pleader appearing for the respondents 1, 3 and 4 submitted that the prayer sought for in the Writ Petition cannot be granted for the reason that the petitioner has given the representation seeking for the cancellation of the sale deed dated 15.10.2003, registered as Document No.3106 of 2003 in favour of the respondents 6 and 7. The petitioner has given the representation dated 04.04.2017 seeking for a direction to the respondents 1 to 5 to cancel the sale deed dated 15.10.2003.

3. Mr.P.P. Purushothaman, learned Government Advocate appearing for the respondents 2 and 5 also reiterated the stand of the learned Special Government Pleader and submitted that the remedy open to the petitioner is only before the Civil Court under Article 226 of the Constitution.

4. As rightly contended by the learned Special Government Pleader appearing for the respondents 1, 3 and 4, the respondents 1 to 5 cannot cancel the registered sale deed executed in favour of the respondents 6 and 7. The remedy is only before a competent Civil Court and not under Article 226 of the Constitution. In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The District Collector,
Collectorate, Kancheepuram District.
2. The District Registrar,
Chengalpattu Registration District,
Chengalpattu.

3. The District Revenue Inspector,
District Revenue Office,
Kancheepuram District.

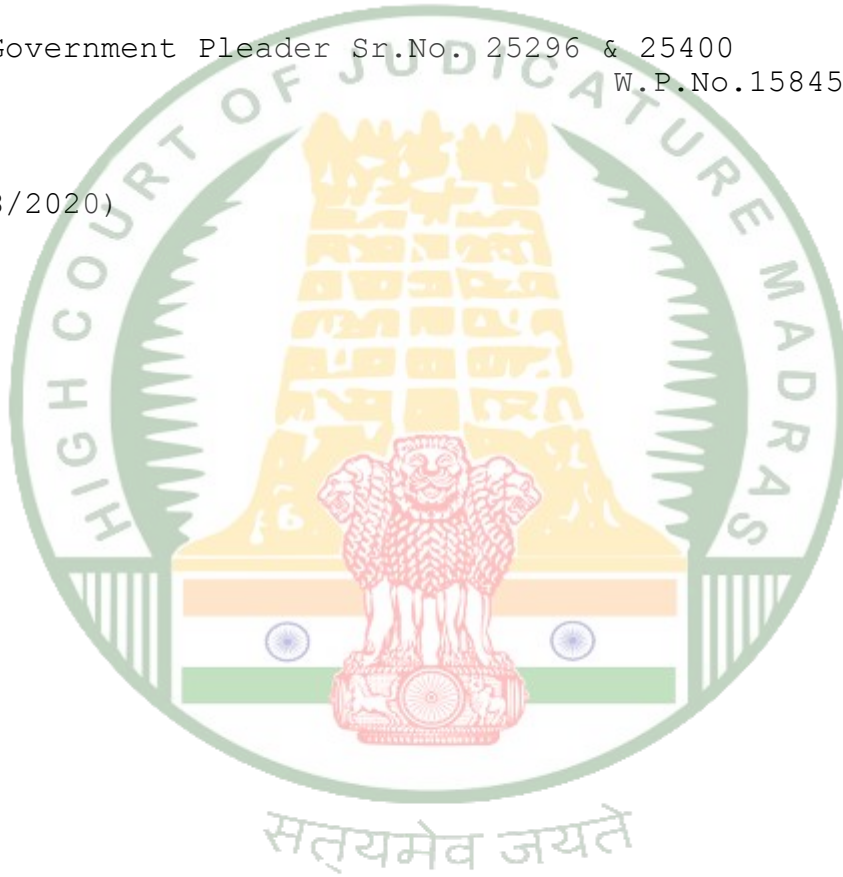
4. The Tahsildar,
Sriperambudur Taluk,
Sriperambudur,
Kancheepuram District - 602 105.

5. The Sub Registrar,
Sub Registration Office
Walajabath, Kancheepuram District - 631 605.

+1 cc to Government Pleader Sr.No. 25296 & 25400

W.P.No.15845 of 2017

A.SK(03/08/2020)



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