



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

**W.P. (MD)Nos.2558 and 2559 of 2017**

**and**

**W.M.P. (MD)Nos.2125 and 2126 of 2017**

T.S.M.Boopathi

... Petitioner in W.P.  
(MD)No.2558 of 2017

S.Muthu Nagarethinam

... Petitioner in W.P.  
(MD)No.2559 of 2017

Vs

1.The Regional Deputy Registrar (Housing),  
Triuchirappalli Khajamalai Colony,  
Tiruchirappalli - 620 023.

2.The President,  
Tiruchirappalli Co-operative House  
Constructions Society Ltd.,  
Makkal Mandram Thillai Nagar,  
Tiruchirappalli- 620 018.

3.The Secretary,  
Tiruchirappalli Co-operative House  
Constructions Society Ltd.,  
Makkal Mandram Thillai Nagar,  
Tiruchirappalli- 620 018.

4.The Sub Registrar (Registration Department),  
Woraiyur Sub Registrar's Office,  
Woraiyur,  
Tiruchirappalli - 620 018.

... Respondents  
in Both WPS

**COMMON PRAYER:** Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to cal for the records culminated in the impugned notice dated 27.01.2017 on the file of the 2<sup>nd</sup> respondent issued to the petitioner and quash the same as illegal, void, ultra vires, without jurisdiction and not in accordance with law and to issue a writ of Mandamus directing the 4<sup>th</sup> respondent not to entertain unilateral cancellation of sale deed submitted by the respondents 2 and 3 in respect of shop sit No.7, Anna Nagar Colony, Tennur Village, Tiruchirappalli.

(in both W.Ps)

For Petitioner

For Respondents

: Mr.S.Shangar Murali

: Mr.M.Rajarajan,

Government Advocate



**C O M M O N O R D E R**

Heard the learned counsel on either side.

2.The petitioner filed these writ petitions since he felt aggrieved by the proposal of the second respondent to unilaterally cancel the petition mentioned sale deed.

3.The petitioner's counsel submitted that such an unilateral cancellation of sale deed has been held to be impermissible by this Court in more than one case.

4.Today i.e., 20.07.2020, when the matter was taken up for disposal, the learned Government Advocate informed the Court that the impugned proposal has already been withdrawn by the second respondent. He also produced a copy of the written instructions dated 16.07.2020 sent by the second respondent to the learned Government Advocate.

5.Therefore, the cause of action no longer survives. I make it clear that as and when the petitioner is aggrieved, it is always open to the petitioner to move this Court for appropriate relief. The writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

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Triuchirappalli Khajamalai Colony,  
Tiruchirappalli - 620 023.



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4.The Sub Registrar (Registration Department),  
Woraiyur Sub Registrar's Office,  
Woraiyur,  
Tiruchirappalli - 620 018.

+1 CC to Mr.SHANGAR MURALI, Advocate ( SR-13174[F]dated  
21/07/2020 )

**W.P. (MD)Nos.2558 and 2559 of 2017**  
**20.07.2020**

VB (23.07.2020) 3P 6C