

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.03.2021

CORAM

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR
W.P. No. 11515 of 2018
and W.M.P. No.13452 of 2018

S.Arjunan

.. Petitioner

Vs.

1.The District Collector,
Perambalur District,
Perambalur.

2.The Inspector General of Registration,
Registration Department,
Santhome, Chennai - 600 028.

3.The Special Tahsildar,
Adhidraavidar Welfare Department,
Perambalur, Perambalur District.

4.The District Registrar,
Ariyalur District, Rajaji Salai,
Ariyalur.

5.Papathi

6.Chandrakumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus directing the respondents 1 to 4 to consider the representation of the petitioner dated 22.04.2018 and the second respondent to cancel the registered document No.553 of 2018 dated 06.03.2018 on the file of fourth respondent herein, enabling the real beneficiary to avail the benefits to secure the ends of justice.

For Petitioner : No appearance
For Respondents 1&3 : Mrs. A.Madhumathi
Special Government Pleader

2 & 4 : Mr. B.Kannan
Government Advocate

O R D E R

This writ petition is filed for issuing a writ mandamus directing the respondents 1 to 4 to consider the representation of the petitioner dated 22.04.2018 and to direct the second respondent to cancel the registered document dated 06.03.2018, on the file of fourth respondent.

2. From the petitioner's representation it is seen that an extent of 120 Sq.mt. of land comprised in Survey No.352/2B, was assigned in favour of the petitioner's brother. It is stated by the petitioner that as per the conditions attached to the assignment, the assignee cannot sell or alienate the property for a period of thirty years. Stating that the wife of petitioner's brother executed a sale deed by a document dated 06.03.2018, contrary to the terms and conditions of assignment, the petitioner has requested the District Collector to cancel the sale deed dated 06.03.2018, so that the property can be retained in favour of eligible beneficiaries.

3. First of all the petitioner has no locus standi to approach this Court as there is no personal injury to the petitioner. The petitioner has not approached this Court by way of public interest litigation. The prayer in this writ petition is to cancel the registered sale deed which cannot be granted. The wife of the petitioner's brother is the absolute owner of the property even according to the petitioner, after the life time of petitioner's brother. If the wife of the petitioner's brother executes a sale deed contrary to the terms of the assignment it will be a good ground to resume the land.

4. Having regard to the fact that the assignment was in respect of a small piece of land, this Court is unable to see that the assignment was in favour of the depressed class. In these circumstances, this Court is unable to entertain the writ petition. The writ petition is devoid of merits and accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Perambalur District,
Perambalur.

2.The Inspector General of Registration,
Registration Department,
Santhome, Chennai - 600 028.

3.The Special Tahsildar,
Adhidraavidar Welfare Department,
Perambalur, Perambalur District.

4.The District Registrar,
Ariyalur District, Rajaji Salai,
Ariyalur.

+1 cc to Government Pleader Sr.No. 16231

W.P. No. 11515 of 2018

JPL(CO)
A.SK(13.07.2021)



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