



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.1922 of 2021

Andiyappan

.. Petitioner

Vs

1.The Register General,
Registration Department,
100, Santham Road,
Chennai.

2.The District Register,
Dindigul District.

3.The Sub Register,
Ottanchathiram,
Dindigul District.

4.Raju

.. Respondents

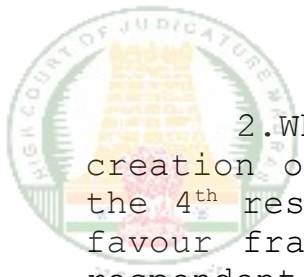
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to revoke the sale deed in Document No.193/2006 dated 21.01.2016 on the file of the 3rd respondent by consider the petitioner representation dated 19.12.2020 within a time stipulated by this Court.

For Petitioner: Mr.P.Andiraj

For R1 to R3 : Mr.K.Sathiya Singh
Additional Government Pleader

ORDER

The case of the petitioner is that he has inherited the ancestral property in patta No.97 at Keelapaguthi Village and his name was also found in all the revenue records pertaining to the subject property under his occupation. The petitioner decided to give the property to his grandson, Ramesh Kannan and by way of a settlement deed, dated 09.09.2009, the property was settled in favour of his grandson.



2.While so, the petitioner came to know that there is a creation of false document in respect of the subject property by the 4th respondent and he managed to register the sale deed in his favour fraudulently. Therefore, the petitioner approached the 3rd respondent, but he was informed that the 4th respondent had registered the sale deed on 27.07.2006. Thereafter, the petitioner approached the Sub Register, Tharagampatti, and he was informed that the said property was actually registered in the 3rd respondent office, which, according to him, has no jurisdiction over the property owned by the petitioner.

3.According to the petitioner, the respondents 3 and 4 have colluded together and created a false register and registered the sale deed fraudulently. In this regard, the petitioner appears to have submitted a representation on 19.12.2020 to the 3rd respondent to cancel the sale deed, dated 21.01.2016. But there was no action forthcoming and therefore, the petitioner is before this Court.

4.The prayer in this writ petition is to direct the respondents to revoke the sale deed dated 21.01.2016. In fact, the affidavit does not contain sufficient details as to the nature of dispute, as the averments contained in the affidavit are too sketchy and do not coherently make out any legal sense to give any direction as prayed for by the petitioner. Further, it could be seen that there appears a title dispute in regard to the subject matter as between the petitioner and the private respondent and in case, there is any fraudulent action, the sale deed needs to be set aside by approaching the proper legal forum. In any event, the representation has been made by the petitioner only on 19.12.2020 and without giving sufficient time to the competent authority, the petitioner has needlessly approached this Court presently. It is open to the petitioner to approach the competent civil Court to set aside the sale deed, dated 21.01.2016, in case, any fraudulent sale has been executed adverse to his interest or he can pursue his remedy before the official respondents, if he is so advised in the manner known to law. However, it is certainly not open to the petitioner to approach this Court in the present circumstances and seek to maintain this writ petition.

5.This Court therefore finds that this Writ Petition is not maintainable and hence, it stands dismissed. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



1.The Register General,
Registration Department,
100, Santham Road,
Chennai.

2.The District Register,
Dindigul District.

3.The Sub Register,
Ottanchathiram,
Dindigul District.

+1 CC to M/s.GP (SR-3472[F] dated 05/02/2021)

W.P. (MD) No.1922 of 2021
04.02.2021

ES(CO)
TR(22.02.2021) 3P 5C