



W.P.No.22164 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.22164 of 2015

and

M.P.No.1 of 2015

Muniyappan

...Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai-600 028.
2. The District Registrar,
Department of Registration,
Dharmapuri District, Dharmapuri.
3. Mrs.Anbumani
Sub Registrar,
Pennagaram, Dharmapuri District.
4. Rangasamy @ Rangan
5. Alamelumangammal

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to take appropriate action on the representation of the petitioner dated 16.04.2015 submitted for cancellation of fraudulent and illegal sale deed dated 08.04.2015 registered as Document No.1290/2015 on the file of the Sub Registrar, Pennagaram,



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Dharmapuri District and also to take appropriate departmental and criminal action against the respondents 3 to 5 forthwith.

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For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.A.Anandan, GA, for R1 & R2
: Mr.R.Thirugnanam, for R4 & R5

ORDER

The petitioner has filed this petition for consideration of his representation dated 16.04.2015 filed before the 2nd respondent.

2. The case of the petitioner is that the property comprised in Survey Nos.253/1C, 259/2B, 260/1, 260/3, 334/E, 340/A3 and 340/A8, situated at Somana Halli Village, Dharmapuri Taluk and District belongs to petitioner's father, namely Kondaiyan @ Muniyappan. The petitioner's father married one Murugammal and they were blessed with two children namely, Rangasamy / the 4th respondent and Pachiyammal. Whiles, after the demise of said Murugammal, the petitioner's father married one Chandra, the petitioner's mother and they were blessed with the petitioner. After the demise of petitioner's father, the 4th respondent executed a sale deed dated 08.04.2015 bearing Doc.No.1290 of 2015 in favour of his sons namely



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Dinesh Kumar and Poovarasn, by appointing his wife / the 5th respondent as their guardian, in respect of the subject property and the same was registered by the 3rd respondent, despite the objection dated 08.08.2014 made by the petitioner before the 3rd respondent, objecting the registration of any document in respect of the subject property. Aggrieved by the same, the petitioner made a representation dated 16.04.2015 before the 1st and 2nd respondents, seeking for cancellation of said fraudulent document, however, till date, no orders have been passed on the said representation. Hence, this Writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner fairly submitted that, the petitioner has filed a suit in O.S.No.331 of 2015 on the file of the Additional Sub Court, Dharmapuri as against the private respondents, claiming 1/3rd share in the subject property and to declare the sale deed dated 08.04.2015 bearing Doc.No.1290 of 2015 executed by the 4th respondent as null and void. Hence, he submitted that it would suffice, if this Court grants permission to the petitioner to canvass all his grievances before the Civil court, where the suit in O.S.No.331 of 2015 is pending.



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4. On the above contention, heard learned counsel for the respondents.

5. In view of the stand taken by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case grants permission to the petitioner as well as the private respondents to canvass all their grievances in the said suit in O.S.No.331 of 2015 on the file of the Additional Sub Court, Dharmapuri.

6. This writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

21.06.2022

skt

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai-600 028.

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2. The District Registrar,
Department of Registration,
Dharmapuri District, Dharmapuri.

3. Mrs.Anbumani
Sub Registrar,
Pennagaram, Dharmapuri District.

M.DHANDAPANI,J.

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