



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.NO.14426 OF 2022

M.Muruganantham

... Petitioner

Vs.

- 1 The Government of Tamilnadu
Rep. by its Secretary,
Registration Department,
Fort St. George chennai 09.
- 2 The Inspector General of registration,
Mylapore Chennai 04
- 3 The District Registrar,
(Registration), Thiruvannamalai.
- 4 The Joint Sub Registrar No. 1,
Thiruvannamalai, Thiruvannamalai District.
- 5 Nagasankar

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents particularly the Joint Sub Registrar No. 1, Thiruvannamalai /4th respondent herein to delete the entry of Doc. No. 1387 / 2007 dated 02.05.2007 the same relates to a sale deed executed in favour of the 5th respondent from the encumbrance certificate issuing by the 4th respondent office.

For Petitioner : Mr.B.Aparna
For Respondents : Mr.Yogesh Kannadasan, SGP

O R D E R

Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents 1 to 4. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.



2. This Writ Petition has been filed seeking a direction to the respondents particularly the Joint Sub Registrar No. 1, Thiruvannamalai /4th respondent herein to delete the entry of Doc. No. 1387 / 2007, dated 02.05.2007 the same relates to a sale deed executed in favour of the 5th respondent from the encumbrance certificate issuing by the 4th respondent office.

3. The case of the petitioner is that the petitioner purchased the subject property in the year 2013 from one Irudayamari, Rubina, Joseph Selvakumar, Mani Victoria and Josphin. On the other hand, during the year 2007, one Karnan @ Susainathan, Anthonigurus Sahayaraj and one Rayappan alleged to have residing at Keeznathur Colony, Thiruvannamalai Taluk, without having any title on the same property, executed a sale deed on 02.05.2008 in favour of one Nagasangar. Accordingly, a sale deed was also executed on 02.05.2007 in favour of the said Nagasangar and the same was registered before the 4th respondent vide document No.1387/2007 dated 02.05.2007. Therefore, the petitioner has filed the present petition before this Court seeking direction to the 4th respondent appropriate remedy.

4. The learned counsel for the petitioner submitted that the sale deed executed in favour of the 5th respondent is forged one. Without considering the documents, the 4th respondent has violated their own circular dated 24.01.2003 and 17.05.2004. The petitioner made a representation to the 4th respondent to cancel the entry of Doc. No.1387 of 2007 dated 02.05.2007. This Court may close this petition and grant liberty to the petitioner to file appropriate petition before the District Registrar, Thiruvannamalai.

5. Heard the learned counsel for the petitioner and the learned Special Government Pleader and perused the materials available on record. Since no adverse orders are passed against the 5th respondent and therefore, his presence is dispensed with.

6. Recording the same, the writ petition is closed and however, liberty is granted to the petitioner to make an appropriate petition before the District Registrar, Thiruvannamalai, if so advised. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli



To

1 The Government of Tamilnadu
Rep. by its Secretary,
Registration Department,
Fort St. George chennai 09.

2 The Inspector General of registration,
Mylapore Chennai 04

3 The District Registrar,
(Registration), Thiruvannamalai.

4 The Joint Sub Registrar No. 1,
Thiruvannamalai, Thiruvannamalai District.

+lcc to Mr.K.Balakrishnan, Advocate, S.R.No.33945
+lcc to the Government Pleader, S.R.No.34862

W.P.No.14426 of 2022

SV(CO)
PM/30/06/2022