



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26463 of 2019

M.Parthiban

... Petitioner

-Vs-

1. The State represented by,
The Inspector General of Registrar,
No.100, Santhome High Road,
Mylapore, Chennai.

2. The District Registrar,
Office of District Registrar,
Chengalpattu,
Kancheepuram District.

3. The Sub Registrar,
Office of Sub-Registrar,
Tiruporur,
Kancheepuram District.

4. R.K.Ganesan

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider and take appropriate legal action based on petitioner's representation dated 30.07.2019 and directing 3 respondent to cancel the sale registration made between me and fourth respondent on 06.02.2019 vide Sale Deed Registration.No.1415 of 2019 at Sub-Registration office Tiruporur accordance with law with in a stipulate time.

For Petitioner : Mr.S.Chandra Nathan

For R1 to R3 : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to



consider and take appropriate legal action based on petitioner's representation, dated 30.07.2019 and directing the third respondent to cancel the sale registration made between me and fourth respondent on 06.02.2019 vide Sale Deed Registration.No.1415 of 2019 at Sub-Registration office, Tiruporur, in accordance with law with in a stipulate time.

2.Heard Mr.S.Chandra Nathan, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 to 3.

3.The petitioner owned property comprised in Old Survey No.1356/1L and New Survey No.1356/1L1A1 in Patta No.3499 to an extent of 8.59 acres, situated at Thiyur "A" Village, Tiruporur, Kancheepuram District. The fourth respondent approached the petitioner to purchase an extent of 1.38 acres out of 8.59 acres for the total sale consideration of Rs.1,10,00,000/- (Rupees One Crore and Ten Lakhs only).

4.The fourth respondent had paid Rs.30,00,000/- (Rupees Thirty Lakhs only) as advance and the fourth respondent had assured that the remaining sale consideration will be paid at the time of execution of the sale deed. Under good will of the fourth respondent, the petitioner executed a sale deed, in favour of the fourth respondent on 06.02.2019 registered vide Document No.1415 of 2019 in the office of the third respondent. According to the petitioner, the fourth respondent failed to pay the remaining sale consideration and as such the petitioner challenged the sale deed by way of this writ petition.

5.Admittedly, the entire issue raised by the petitioner is civil in nature and the writ petition is not maintainable and it is liable to be dismissed. However, the petitioner is at liberty to challenge the sale deed executed in favour of the fourth respondent in the manner known to law, if so advised.

6.In view of the above, this writ petition stands dismissed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

mn



To

1. The Inspector General of Registrar,
The State of Tamil Nadu,
No.100, Santhome High Road,
Mylapore, Chennai.

2. The District Registrar,
Office of District Registrar,
Chengalpattu,
Kancheepuram District.

3. The Sub Registrar,
Office of Sub-Registrar,
Tiruporur,
Kancheepuram District.

+1cc to Mr.S.Sugendran, Advocate SR.No.7062

+1cc to the Government Pleader SR.No.7408

W.P.No.26463 of 2019

NK(CO)

GN(24/02/2022)