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WP.No.26272 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

CORAM

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

WP.No.26272 of 2022  
and W.M.P.No. 25355 of 2022

1.V.Dhandanpani  
2.A.Shanmugaraj  
3.G.Ramasamy

.. Petitioners

Versus

1.The District Registrar (Administration)  
No.1/529, Neriperichal Village  
Pulavapatti Post, Tiruppur – 641 602

2.The Joint Sub-Registrar - I  
Sub Registrar's Office  
Tiruppur – 641 602

3.Kittathal  
4.Vedhaambaal  
5.Rathinambaal  
6.Padmavathi  
7.Padamanabhan  
8.Kalaamani  
9.Senthil  
10.Gopalakrishnan  
11.Manoj Kumar  
12.S.Gowtham  
13.N.Jayakumar  
14.Prem Kavin  
15.Kamalathal  
16.Savitha  
17.Deivasigamani  
18.Lakshmi



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19.Muthusamy

.. Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order Na.Ka. 2194/AA5/ 2021 dated 25.07.2022 passed by the 1st Respondent and quash the same and further direct the 1st respondent to pass appropriate order conferred on him under Section 68 (2) of the Registration based on his findings and further direct the 1st respondent to give necessary instructions to the 3rd respondent to stop any further registration on the land comprised in S.No. 24/1 22/1 24/2 24/4 25/1 25/2E 25/3 26/1A 26/1B 29/1H 31/1B as per the circular in Letter No. 41530/ U1/ 2021 dated 11.03.2022

For Petitioner : Mr.K.Sathyabal  
For Respondents : Mr.C.Kathiravan for R1-R3  
Special Government Pleader

### **ORDER**

This writ petition is filed challenging the order in Na.Ka. 2194/AA5/ 2021 dated 25.07.2022 passed by the 1st Respondent, quash the same and further direct the 1st respondent to pass appropriate order conferred on him under Section 68 (2) of the Registration based on his findings and further direct the 1st respondent to give necessary instructions to the 3rd respondent to stop any further registration on the land comprised in S.No. 24/1 22/1 24/2 24/4 25/1 25/2E 25/3 26/1A 26/1B 29/1H 31/1B as per the circular in Letter No. 41530/ U1/ 2021 dated 11.03.2022

2.The case of the petitioner is that on 21.01.1927, sale deed was executed with regard to his present property in various survey Nos. by



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document No. 65/1927 amdeasuring 54.33 acres. On dispute, partition suit was filed over the subject property by the executor of the above said sale deed and a preliminary deree was passed by District Munsif Court, Tiruppur on 21.03.1960. However, before attaining finalty on the the decree, various sale deeds and partition deeds were executed by the respondents 3 to 14. Hence, a complaint was made before the second respondent under Section 77A of the Registration Act seeking cancellation of the above documents executed by the private respondents. Challenging the same, this petition.

3. Though very many grounds raised by the learned counsel for the petitioner, after several submissions, he confined his prayer by seeking liberty to file appropriate appeal before the first respondent.

4. Heard both sides and perused the materials placed on record. Since, there is no adverse orders passed against the private respondents. Notice to the private respondents is dispensed with.

5. Considering the limited relief sought for by the petitioner, this Court without going into the merits of the case directs the petitioner to file appropriate appeal before the first respondent within a period of two weeks



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from the date of receipt of a copy of this Order and the first respondent is directed to consider such appeal, if any being filed and pass appropriate orders, on merits and in accordance with law after providing opportunity of hearing to the petitioners as well as any other interested parties within a period of twelve weeks thereafter.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

30.09.2022

dhk  
Index: Yes/No

To

1. The District Registrar (Administration)  
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Pulavapatti Post, Tiruppur – 641 602

2. The Joint Sub-Registrar - I  
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Today, this matter was listed under the caption “For Being Mentioned” at the instance of the learned counsel for the petitioner, seeking correction in the order dated 30.09.2022.

2. When the matter was called, the learned counsel for the petitioner submitted that the first respondent is not the appellate authority for filing an appropriate appeal and hence, seeks for necessary corrections.

3. Considering the submissions of the learned counsel for the petitioner, Paragraph No. 5 of the 30.09.2022 is to be read as follows:

“5.Considering the limited relief sought for by the petitioner, this Court without going into the merits of the case directs the petitioner to file appropriate appeal before the ***appellate authority*** within a period of two weeks from the date of receipt of a copy of this Order and the ***appellate authority*** is directed to consider such appeal, if any being filed and pass appropriate orders, on merits and in accordance with law after providing opportunity of hearing to the petitioners as well as any other interested parties within a period of twelve weeks



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thereafter.”

**M.DHANDAPANI, J.**

4. The Registry is directed to make necessary corrections in the said order and issue fresh copies.

07.11.2022

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