



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.3842 of 2022

WEB COPY

V.Sampoornam

.. Petitioner

Vs

1.The Inspector General,
Registration Department,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.

2.The District Registrar,
Registration Department,
Karur.

3.The Sub Registrar,
Sub Registration Office,
Velliyanai,
Karur District.

4.K.Selvaraj

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to cancel the sale deed document No.1653 of 2019, dated 25.06.2019, based on the petitioner representation dated 08.02.2022, within the time limit that may be stipulated by this Court.

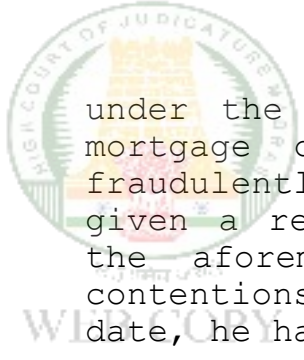
For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mr.J.John Rajadurai for R1 to R3
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to cancel the sale deed, dated 25.06.2019, registered as document No.1653/2019, based on the petitioner's representation, dated 08.02.2022, within a time frame to be fixed by this Court.

2.According to the petitioner, the aforementioned sale deed has been registered fraudulently at the instance of 4th respondent, who is the purchaser. It is the case of the petitioner that the vendor



under the sale deed, dated 25.06.2019, wanted to execute only a mortgage deed. But the fourth respondent has illegally and fraudulently obtained the sale deed in his name. The petitioner has given a representation on 08.02.2022, seeking for cancellation of the aforementioned sale deed by raising the above mentioned contentions. Since the representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.A.D.Ganeshamoorthi, learned counsel for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3.

4.According to the petitioner, Veluchamy, the person who has executed the sale deed, dated 25.06.2019, registered as document No.1653/2019, which is sought to be cancelled, is an alcoholic and in drunken state of mind, he has executed the sale deed instead of executing a mortgage deed. In such circumstances, the petitioner, wife of Veluchamy, seeks cancellation of the sale deed, dated 25.06.2019.

5.No prejudice will be caused to the official respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the fourth respondent, in whose name the sale deed stands.

6.Accordingly, this Court directs the second respondent to consider the petitioner's representation, dated 08.02.2022, seeking for cancellation of the sale deed, registered as document No.1653/2019, dated 25.06.2019 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the fourth respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Inspector General,
Registration Department,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.

2.The District Registrar,
Registration Department,
Karur.

3.The Sub Registrar,
Sub Registration Office,
Velliyanai,
Karur District.

+1 CC to M/s.A.D.GANESHA MOORTHY, Advocate (SR-9573[F] dated
02/03/2022)

+1 CC to M/s.SPL GP (SR-9769[F] dated 03/03/2022)

W.P. (MD)No.3842 of 2022
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KG (CO)
TR(17.03.2022) 3P 6C