



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.11370 of 2022

M.K.Ameem Ahemed

... Petitioner

Vs.

The District Registrar,
District Registration Office,
Karaikudi,
Sivagangai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent for speedy disposal of the petition in Na.Ka.1117/Aa1/2022 pending before the respondent herein for cancelling the sale deed in Doc.No.829/1984 on the file of the Sub-Registrar, Thiruvadanai in time frame that may be fixed by this Court to act upon the circular Letter No.41530/U1/2017, dated 25.03.2022 issued by the Inspector General of Registration in accordance with law within the time stipulated by this Court.

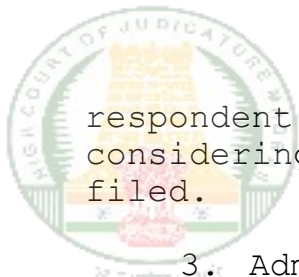
For Petitioner : Mr.B.Mahendrarajan

For Respondent : Mr.J.K.Jeyaseelan
Government Advocate

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondent.

2. The petitioner's father purchased the subject property and sold the same in favour of the one Yahooofh on 20th July 1977. The said yahooofh in-turn sold the property in favour of one Kalimuthu on 03.11.1983. Interestingly, the very same property was also alienated by the petitioner's father's sister in favour of one Mohammed Aligar Rawothar on 25.07.1984. The said document (Document No.829/1984) is on the file of the respondent. The petitioner states that it is not possible that in respect of one property there can be two transactions. His further grievance is that on the strength of Document No.829/1984, the petitioner's paternal aunt has staked a fraudulent claim on the petitioner's father's other properties. Therefore, the petitioner gave a representation to the



respondent seeking cancellation of Document No.829/1984. For considering the said representation, the writ petition came to be filed.

3. Admittedly, the petitioner's father had alienated the land in question in favour of one Yahooofh and the said Yahooofh in-turn had sold the property in favour of one Kalimuthu. Therefore, it is the said Kalimuthu who must feel aggrieved by the execution of Document No.829/1984. The petitioner no longer has any right in the property in question. Therefore, the petitioner lacks the *locus standi* to make the subject representation. If the petitioner's paternal aunts are taking any unsustainable claim on the strength of having executed the Document No.829/1984, it is for the petitioner to resist the said claim in the appropriate manner before the appropriate Court. Filing a representation for cancelling the Document in question is not a remedy. Leaving open the petitioner's other rights, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To:

The District Registrar,
District Registration Office,
Karaikudi,
Sivagangai District.

+1 CC to M/s.B.MAHENDRARAJAN, Advocate (SR-25043[F] dated 10/06/2022)

+1 CC to M/s.SPL GP (SR-25443[F] dated 13/06/2022)

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KS (CO)
TR(05.07.2022) 2P 4C