



W.P(MD)No.17279 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17279 of 2022

R.Alice Ammal

... Petitioner

Vs.

1.The District Registrar,
Palayamkottai,
Tirunelveli District.

2.The Sub Registrar,
Office of the Sub Registrar,
Kommadikottia,
Sathankulam Taluk,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent to entertain the cancellation deed dated 07.07.2022 for registration and consequently, to register and release the same without insisting upon the original sale deed dated 07.09.2020 registered as Doc.No.758/2020.'

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.K.Selvaganesan
Additional Government Pleader



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ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The petitioner had executed a sale deed dated 07.09.20220 registered as Document No.758/2020 on the file of the second respondent. That gave rise to a criminal case. The petitioner who is the executant of the document as well as the purchaser had realized their mistake and want to undo whatever mistake that had happened. Then and then alone, the criminal case will be given a quietus. With this object in mind, the petitioner had presented the petition mentioned deed for cancellation. It is not an unilateral cancellation. It is being done with the consent of the erstwhile purchaser. Since the previous error is sought to be rectified, the second respondent is directed to entertain the same and register it and also release it subject to fulfilment of usual formalities.

3. The Writ Petition is allowed. No costs.

03.08.2022

Index : Yes / No
Internet : Yes/ No
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To

1. The District Registrar,
Palayamkottai,
Tirunelveli District.
2. The Sub Registrar,
Office of the Sub Registrar,
Kommadiyottai,
Sathankulam Taluk,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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