



W.P(MD)No.12987 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.12987 of 2015

and

M.P(MD)No.1 of 2015

S.Selvin Kanagaraj

... Petitioner

Vs.

1.The District Registrar,
Office of the Cheranmahadevi Registrar,
Cheranmahadevi,
Tirunelveli District.

2.The Deputy Inspector General for Registration,
Office of the DIG for Registration,
St.Johns Hr. Sec. School - Back side,
Palayamkottai-627 002,
Tirunelveli District.

3.The Sub-Registrar,
Office of the Kadayam Sub-Registrar,
Kadayam,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the first



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respondent in letter No. Na.Ka.No.3086/Aa1/2013, dated 25.06.2015 and consequently direct the first respondent to cancel the order in respect of ordering to cancel the fraudulently registered document No.4816/12.

For Petitioner : M/s.B.Char Murugan

For Respondents : M/s.S.Jeyapriya
Government Advocate

ORDER

The present Writ Petition has been filed challenging an order passed by the first respondent herein, under which, he has rejected the request of the petitioner for cancellation of a sale deed executed by him on 09.06.2015. It is the case of the petitioner, that he has executed a sale deed on 09.06.2015 in favour of a third party and the same was registered before the third respondent herein under Document No.4816/2012. However, after a period of two years, the petitioner has lodged a complaint before the first respondent herein alleging that the sale deed, dated 09.06.2015, was executed by him under undue influence and coercion exerted by the said private party. The said application was rejected by the first respondent herein under the impugned order. The said order is under challenge in the present writ petition.



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2. A perusal of the complaint lodged by the writ petitioner will clearly reveal that the allegation pertains to undue influence and coercion in execution of the sale deed, dated 09.06.2015, by the writ petitioner herein. The first respondent herein will not have any jurisdiction whatsoever to go into the said allegation of undue influence or coercion. Hence, I do not find any illegality or infirmity in the order passed by the first respondent herein. However, the petitioner is at liberty to approach the competent civil Court to ventilate his grievances if, he is so advised.

3. The writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

13.10.2022

Index : Yes / No
Internet : Yes / No
btr

To

1. The District Registrar,
Office of the Cheranmahadevi Registrar,
Cheranmahadevi,
Tirunelveli District.

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2.The Deputy Inspector General for Registration,
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Tirunelveli District.

3.The Sub-Registrar,
Office of the Kadayam Sub-Registrar,
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Order made in
W.P(MD)No.12987 of 2015

13.10.2022