



W.P(MD)No.5091 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5091 of 2015

M.Chockkalingam

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai-600 028.

2.The District Registrar,
Registration Department,
Theni District,
Theni.

3.The Sub-Registrar,
Office of the Sub-Registrar,
Uthamapalayam,
Theni District.

4.N.Sahul Hameed

5.Jothi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.



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1961/E2/2013, dated 02.02.2015 on the file of the second respondent and quash the same as illegal and consequently for a direction, directing the second respondent to conduct a fresh enquiry in accordance with the Circular No.67, dated 03.11.2011, issued by the first respondent.

For Petitioner : M/s.T.Lajapathi Roy

For Respondents : M/s.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present Writ Petition has been filed challenging an order passed by the second respondent herein, under which, he has refused to entertain the request made by the writ petitioner for cancellation of a sale deed executed by the writ petitioner's mother in favour of the private respondents.

2. According to the learned Counsel for the petitioner, his mother Ramayiammal under undue influence and coercion had executed a sale deed on 18.07.1994 in favour of the private respondents. Hence, he requested the second respondent to cancel the said sale deed. However, by way of an impugned order, the second respondent has rejected the



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said application on the ground the issue has to be resolved only before the revenue authorities on the ground that is an assigned land.

3. According to the learned Counsel for the petitioner, pending writ petition, the revenue authorities have cancelled the order of assignment and thereby, the title has reverted back to the Government. In view of the above said facts, neither the petitioner nor the private respondents have not any title to the property and the title has vested with the Government. In view of the above said facts, no further orders are called for in the present writ petition. However, the petitioner is at liberty to challenge the cancellation of the said order of assignment.

4. The writ petition stands disposed of. There shall be no order as to costs.

12.10.2022

Index : Yes / No
Internet : Yes / No
btr



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R.VIJAYAKUMAR, J.

btr

Order made in
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