



W.P.(MD)No.24508 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.10.2022

CORAM

**THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN**

Writ Petition (MD) No.24508 of 2022

Neduncheliyan

... Petitioner

Versus

1.The Inspector General of Registration,  
No.100, Santhom High Road,  
Chennai-28.

2.The District Registrar (Administration),  
Trichy District, Trichy.

3.The Sub Registrar,  
Thathayangarpettai, Musiri Taluk,  
Thathayangarpettai, Musiri Taluk,  
Trichy District.

4.Venkatesan

... Respondents

**Prayer:** Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 12.07.2022.

|                 |   |                                                  |
|-----------------|---|--------------------------------------------------|
| For Petitioner  | : | Mr.K.Arunraj                                     |
| For Respondents | : | Ms.S.Jayapriya (R1 to R3)<br>Government Advocate |



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## **ORDER**

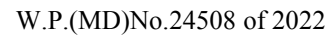
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This petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 12.07.2022.

2.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed against the fourth respondent, notice to him is dispensed with.

3.Heard the learned counsel appearing on either side.

4.It is the contention of the petitioner that the subject property is Re.Survey No.190/2A measuring to an extent of 55 cents, Survey No.190/2B measuring to an extent of 35 cents, Survey No.196/1 measuring to an extent of 30 cents, Survey No.196/2 measuring to an extent of 78 cents and Survey No. 196/3 measuring to an extent of 3 cents including the Well and Electricity connection in No.391 situated at Pillathurai Village, Musiri Taluk, Trichy District. The said property originally belonged to the petitioner vide sale deed in Doc.No.970/1987, dated 26.10.1987. On 18.06.2001, a sale agreement (registered Doc.No.610/2001) was made between the petitioner and the fourth respondent, pursuant to which, the petitioner borrowed a sum of Rs.4,00,000/-



5. In the cases of this nature, this Court cannot straightaway issue any direction to the authorities, since the facts involved in this case are of this nature. Hence, the petitioner has to approach the civil Court for getting



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appropriate remedy in this regard. Without the decree and judgment of the civil Court, the third respondent is not in a position to cancel such sale agreement and register the same in favour of the petitioner's legal heirs. Accordingly, the Writ Petition is disposed of. No costs. The petitioner is directed to approach the Civil Court for getting appropriate remedy.

**28.10.2022**

Index : Yes/No

Internet: Yes/No

*Rmk*

To

- 1.The Inspector General of Registration,  
No.100, Santhom High Road,  
Chennai-28.
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**V.BHAVANI SUBBAROYAN, J.**

*Rmk*

Order made in  
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28.10.2022