



WEB COPY

W.P.No.44406 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.44406 of 2016

and

W.M.P.Nos.38257 to 38260 of 2016

1.Mrs.R.Suguna

2.R.Manikandan (Minor)
S/o Late.K.Rathinam

3.R.Mohisha (Minor)
D/o Late.K.Rathinam

Both the minors are represented by their Mother and Natural Guardian Mrs. R.Suguna 1st petitioner, all are residing at New No.23 and Old No.9A, Dr.Ram Street, Perambur, Chennai – 600 011.

... Petitioners

Vs.

1.The Inspector General of Registration
No 100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.

2.The District Registrar, Central Chennai
The Office of the District Registrar,
268, Bharathi Salai, Express Estate,
Royapettah,
Chennai – 600 014.



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3.The Sub Registrar Purasaiwalkam
116, Perambur Barracks Road,
Chennai – 600 007.

4.The Thasildar, Perambur
No.2, Perambur High Road,
Perambur, Chennai – 600 011.

5.The Assistant Revenue Officer,
Zone 6, Corporation of Chennai
5, Anderson Road,
Chinna Chembarambakkam,
Ayanavaram, Chennai – 600 023.

6.The Deputy Director,
Bangalore,
Unique Identification Authority of India,
49, Khanija Bhavan, 3rd Floor,
South Wing, Race Course Road,
Bengaluru – 560 001.

7.Mrs. Eswari @ Gangeeswari

8.Mr.P.Nagaraju

9.Mr.Edwin Sahariya

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the 4th and 5th respondents from acting upon the Sale Deed dated 17.03.2014 registered as Doc.No.1153/2014, on the file of the Office of the Sub Registrar Purasawalkam, pertaining to Door No.9/A, Dr.Rams Street, Perambur, Chennai – 600 011, comprised in R.S. No.792/1 of Perambur Village, Chennai District, for issuing patta and effecting name transfer as well as entries in the connected Revenue Records in the name of 9th respondent herein.



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For Petitioners	: No Appearance
For R1 to R4	: Mr.Abishek Murthy Government Advocate

ORDER

The relief sought for in the present writ petition is to forbear the 4th and 5th respondents from acting upon the Sale Deed dated 17.03.2014 registered as Doc.No.1153/ 2014, on the file of the Office of the Sub Registrar Purasawalkam, pertaining to Door No.9/A, Dr.Rams Street, Perambur, Chennai – 600 011, comprised in R.S. No.792/1 of Perambur Village, Chennai District, for issuing patta and effecting name transfer as well as entries in the connected Revenue Records in the name of 9th respondent herein.

2. If at all the sale deed is registered by the competent authority under the provisions of the Registration Act, any person claiming right over the property has to submit an appeal or objection before the competent authority to cancel the sale deed or otherwise. High Court in a writ proceeding cannot



issue a direction not to act upon a sale deed which is otherwise registered under the provisions of the Act by following the procedures as contemplated.

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3. Thus, if the petitioners are aggrieved from and out of the sale deed, which is the subject matter in the present writ petition, they are at liberty to approach the competent authority under the relevant provisions of the Act for the purpose of considering the sale deed or any other appropriate relief.

4. With this liberty, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

27.04.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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To

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S.M.SUBRAMANIAM, J.

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