



W.P.(MD)No.1917 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.1917 of 2021

and

W.M.P.(MD)No.1638 of 2021

Sermakani

... Petitioner

-VS-

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The District Registrar,
District Registration Office,
Tirunelveli District,
Tirunelveli.

3.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

4.The Sub Registrar Office,
Valliyoor,
Tirunelveli District.

5.T.Uduman Mydeen,
Sub Registrar,
Valliyoor,
Tirunelveli District.



W.P.(MD)No.1917 of 2021

6.The Inspector of Police,
Ervadi Police Station,
Ervadi,
Tirunelveli District.

7.Baskar

8.Lalithabai

9.Kannan

10.Sudhagar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned sale deed in Doc.No.1661/2019, dated 12.07.2019, executed by the seventh respondent in favour of ninth respondent and impugned MOD in Doc.No.1875/2020, dated 10.09.2020, duly registered on the file of the fourth respondent SRO, quash the same as *per se* illegal by virtue of the Circular issued by the Inspector General of Registration, Chennai, in Letter No.41530/U1/2017, dated 31.07.2018 and consequently, direct the respondents 2 and 4 to delete the aforesaid entry in the encumbrance in respect of property in Sy.No.122/17B (Old Sy.No.122) in Ramakrishnapuram Village, Thalapathisamudram Part II Village Panchayat, Nanguneri Taluk, Tirunelveli District, within the time stipulated by this Court.

For Petitioner	:	Mr.P.M.Vishnuvarthanan
For R1 to R4	:	Mr.K.S.Selvaganesan Additional Government Pleader
For R5	:	No Appearance



W.P.(MD)No.1917 of 2021

For R6 : Mr.S.Manikandan
Government Advocate (Criminal side)

For R7 and R9 : Mr.G.Thalaimutharasu

For R10 : Mr.B.Brijesh Kishore

ORDER

This Writ Petition has been filed challenging impugned sale deed in Doc.No.1661/2019, dated 12.07.2019, executed by the seventh respondent in favour of the ninth respondent and the impugned MOD in Doc.No. 1875/2020, dated 10.09.2020, duly registered on the file of the fourth respondent and consequently, direct the respondents 2 and 4 to delete the aforesaid entry in the encumbrance in respect of property in Sy.No.122/17B (Old Sy.No.122) at Ramakrishnapuram Village, Thalapathisamudram Part II Village Panchayat, Nanguneri Taluk, Tirunelveli District, within the time frame fixed by this Court.

2. When the matter was taken up for hearing today, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 produced the written instructions received from the Sub-Registrar, Valliyoor. On going through the same, it is clear that the petitioner and the ninth



W.P.(MD)No.1917 of 2021

respondent have jointly executed a Power of Attorney in favour of one Ramanujam, which was registered as Document No.701 of 2022. Based on this Power of Attorney document, the property has been sold in favour of one Siva Selvamani, which has been registered as Document No.720 of 2022 and he in turn has sold the property in favour of one Muthulakshmi, which has been registered as Document No.3417 of 2022.

3. Recording the above, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

NCC : Yes/No
Index : Yes/No

14.12.2023

To

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The District Registrar,
District Registration Office,
Tirunelveli Distirct,
Tirunelveli.



W.P.(MD)No.1917 of 2021

3.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

4.The Sub Registrar Office,
Valliyoor,
Tirunelveli District.

5.The Inspector of Police,
Ervadi Police Station,
Ervadi,
Tirunelveli District.



WEB COPY



W.P.(MD)No.1917 of 2021

N.ANAND VENKATESH, J.

smn2

W.P.(MD)No.1917 of 2021

14.12.2023