



W.P.(MD)No.13033 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13033 of 2021

D.Ramasubramanian

... Petitioner

vs.

1.The District Registrar,
O/o. the District Registrar,
No. 218, Vandikkara Street, Taluk Office Complex,
Ramanathapuram - 623501.

2.Sub Registrar,
O/o. the Sub Registrar,
No. 218, Vandikkara Street, Taluk Office Complex,
Ramanathapuram - 623 501.

3.Ebnezer

4.R.Ashok Kumar.

5.P.Ganapathy Kandhan. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to take appropriate action for cancellation of Registered Sale Deed dated 25.02.2019 executed by 4th Respondent in favour of 5th Respondent by considering the petitioner's representation dated 04.01.2021.



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For Petitioner	:Mr.P.Paranthaman
For R1 and R2	:Ms.D.Farjana Ghousia Special Government Pleader
For R3	:Mr.R.Babujeganath
For R4	:Mr.P.Thiyagarajan
For R5	:Mr.N.Ananthapadmanabhan

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second respondent to act upon the representation made by the petitioner on 04.01.2021, wherein, the petitioner is seeking for the cancellation of the sale deed executed by the fourth respondent in favour of the fifth respondent through the registered sale deed dated 25.02.2019.

2.When the matter was taken up for hearing, it was brought to the notice of this Court that the District Registrar has already passed an order through proceedings dated 12.08.2022, wherein, he has given a finding that the principal is admittedly alive and the life certificate is merely an authentication for the principal being alive at the time of execution of the document by the agent and in view of the same, there is no scope to deal with the application/representation made by the petitioner under Section



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68(2) of the Indian Registration Act. Accordingly, the claim made by the petitioner was rejected. It is also clear from the proceedings that the petitioner has a right of appeal before the Inspector General of Registration, if he is aggrieved by the order passed by the District Registrar. It is also seen that the copy of the order has also been marked to the petitioner.

3.In the light of the above developments, no further orders can be passed in this Writ Petition and the the Writ Petition is disposed of. If the petitioner is aggrieved by the order passed by the District Registrar, it is left open to the petitioner to work out his remedy in the manner known to law. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

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N.ANAND VENKATESH, J.

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