



W.P(MD)No.13392 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13392 of 2023

and

W.M.P(MD)No.11294 of 2023

P.Subramani

... Petitioner

Vs.

1.The District Registrar

Palani,

Dindigul District.

2.The Sub Registrar

Gujiliamparai Sub Registrar Office,

Gujiliamparai,

Dindigul District.

3.The Tahsildar

Gujiliamparai Taluk Office,

Gujiliamparai,

Dindigul District.



W.P(MD)No.13392 of 2023

WEB COPY

4.P.Muniyandi

5.P.Vellaisamy

6.Anjalammal

7.M.Senthil

8.V.Muniyandi

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents herein to enquire and cancel the sale deed in Document No.2957/2022 dated 13.09.2022 based on the petitioner's representation dated 28.04.2023.

For Petitioner : Mr.S.Gomathi Sankar

For Respondents : Mr.M.Prakash - for R1 & R2

Additional Government Pleader

Mrs.D.Farjana Ghoushia, - for R3

Special Government Pleader



W.P(MD)No.13392 of 2023

WEB COPY

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the respondents 1 and 2/District Registrar, Palani, and Sub Registrar, Gujiliamparai Sub Registrar Office, Dindigul District, to enquire and cancel the sale deed in document No. 2957/2022 dated 13.09.2022. The petitioner had given a representation on 28.04.2023.

2. A perusal of the representation, which is dated 28.04.2023 reveals that the petitioner had only stated that the lands at Gujiliamparai in Palayam Village, in Survey No.1322/2 measuring 4 acre 44 cents, is in his possession. But however, it is further stated that land has been conveyed by Document No.2957/2022 in the name of Muniyandi, son of Vellaichamy and Senthil son of Muniyandi.

3. The learned Additional Government Pleader, Mr.Prakash states that just this statement has been given in the representation and



W.P(MD)No.13392 of 2023

that there are no grounds claimed that there has been impersonation in the registration of the document or that the provisions under Section 77-A of the Registration Act, 1908 are attractive.

4. Probably the petitioner was not properly advised while writing the representation. Therefore, I will give an opportunity to the petitioner to give a fresh representation, by giving specific details and if that is done, I am confident that the respondents would be in a position to examine the allegations made therein. But on the basis of this particular representation, a Mandamus cannot be issued, as the respondents 1 and 2 would not be able to enquire any fact as it only states that lands in the possession of the petitioner had been conveyed by the stated document.

5. Even without issuing notice to the private respondents, this Writ Petition is dismissed.

6. The Writ Petition stands dismissed. But however, the petitioner is granted opportunity to re-examine the details of document



W.P(MD)No.13392 of 2023

No.2957 of 2022 and if grounds under Section 77-A arise, then give a detailed representation to the respondents. No costs. Consequently, connected miscellaneous petition is closed.

09.06.2023

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

RM

To

- 1.The District Registrar
Palani,
Dindigul District.
- 2.The Sub Registrar
Gujiliamparai Sub Registrar Office,
Gujiliamparai,
Dindigul District.
- 3.The Tahsildar
Gujiliamparai Taluk Office,
Gujiliamparai,
Dindigul District.



WEB COPY



W.P(MD)No.13392 of 2023

C.V.KARTHIKEYAN, J.

RM

W.P(MD)No.13392 of 2023

09.06.2023