



W.P. (MD).No.17010 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2023

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.17010 of 2021
and WMP(MD)No.13942 of 2021

J.A.Ruskin

.. Petitioner

Vs

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The District Revenue Officer,
Tenkasi, Tenkasi District.
3. The Tahsildar,
Manur Taluk, Manur, Tirunelveli District.
4. The District Registrar,
Office of the District Registrar,
Tenkasi, Tenkasi District.
5. The Sub Registrar,
Office of the Sub Registrar , Alangulam,
Tirunelveli District.
6. Sutheesh Kumar
7. Srinivasan
8. Stephen



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9. The Assistant Executive Officer,
Tamil Nadu Generation and Distribution Corporation,
Manur Village, Tirunelveli District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents more particularly the 5th respondent to consider the petitioner's representation, dated 24/03/2021 and cancel the fake and fabricated sale deed in respect of the property bearing Survey No.81/2 situated at Vaagaikulam Village, Manur Taluk, Tirunelveli District and further direct the 9th respondent to remove the polls erected in the said survey number without the petitioner's approval and consent forthwith.

For Petitioner : Mr. S.Palani Velayutham

For Respondents : Mr.B.Saravanan (R1 to R5)
Additional Government Pleader

No Appearance (R6 to R9)

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the fifth respondent to consider the representation made by the petitioner on 24.03.2021, wherein, the petitioner is seeking for cancellation of fabricated sale deed, with respect to the subject property and for further direction to the 9th respondent to remove the



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electric poles erected in the property belonging to the petitioner.

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2.The main grievance that has been expressed by the petitioner is that the subject property belongs to him and that the 6th respondent had created a fabricated sale deed and the property has been knocked away. It is under these circumstances, a representation dated 24.03.2021 was made for cancelling the fabricated sale deed and for a further direction to the 9th respondent to remove the electric poles that were erected in the subject property, based on the fabricated sale deed.

3.In the considered view of this Court, the relief sought for by the petitioner is completely misconceived. On going through the representation dated 24.03.2021, it is seen that the representation has been given to the District Collector, Tashildar, Block Development Officer, Inspector of Police, Village Administrative Officer, Sub-Registrar and the Assistant Engineer, Electricity Department. None of these authorities have the power to cancel the sale deed. The only authority, who can undertake such an exercise, is the District Registrar.



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No direction can be issued by this Court based on the representation of the petitioner, dated 24.03.2021.

4.In view of the above, this Court holds that the cause of action for filing this writ petition cannot be sustained and as a result, the relief sought for by the petitioner cannot be granted by this Court. Accordingly this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.11.2023

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

To

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The District Revenue Officer,
Tenkasi , Tenkasi District.
3. The Tahsildar,
Manur Taluk, Manur, Tirunelveli District.
4. The District Registrar,
Office of the District Registrar,
Tenkasi, Tenkasi District.
5. The Sub Registrar,
Office of the Sub Registrar , Alangulam,
Tirunelveli District.

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6. The Assistant Executive Officer,
Tamil Nadu Generation and Distribution Corporation,
Manur Village, Tirunelveli District.

N.ANAND VENKATESH, J.

PNM

ORDER IN
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