



WP(MD)No.2326 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.2326 of 2021

A.Anbuselvan

...Petitioner

/Vs./

1.Deputy Inspector General (Registration),
Integrated Registration Department Complex,
TNUA Nagar,
Rajakambeeram,
Y.Oththakkadai,
Madurai – 625 107.

2.The District Registrar (Administration),
TNUA Nagar,
Rajakambeeram,
Y.Oththakkadai,
Madurai – 625 107.

3.Madurai North Joint-1 Sub Registrar,
Madurai North, Madurai.

4.Ponnusamy

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing respondents No. 1 to 3 to conduct enquiry with regard to the cancellation of 11 sale Deeds and subsequent deeds relating to 11 sale Deeds of scheduled property situated in S.No. 1/1 of Kanjirankulam, Thirupuvanam Taluk, Sivagangai District, on the basis of the petitioner's representation dated 19.11.2020.



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For Petitioner : Mr.M.Sankar
For Respondents : Mr.K.S.Selvaganesan (R1 to R3)
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus, directing the respondents 1 to 3 to conduct enquiry to cancel 11 sale deeds and subsequent deeds that were created with respect to subject property situated in S.No. 1/1 at Kanjirankulam, Thirupuvanam Taluk, Sivagangai District, on the basis of the petitioner's representation dated 19.11.2020.

2. Heard Mr.M.Sankar, learned counsel for the petitioner and Mr.K.S.Selvaganesan, learned Additional Government Pleader for the respondents 1 to 3.

3. The claim of the petitioner is that the fourth respondent, taking advantage of the similarity of the names of his father and grandfather, transferred the patta with respect to subject property in his name and he sold the entire property to 11 other persons by executing sale deeds. Those purchasers



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subsequently dealt with the property and alienated it to others. All the sale deeds are now sought to be cancelled by the petitioner on the ground that these are fraudulent sale deeds.

4. Seven sale deeds pertain to the year 1983, three sale deeds pertain to the year 1984 and one sale deed pertains to the year 2007. All the sale deeds are sought to be cancelled by giving a representation in the year 2020. The persons in whose favour the sale deeds have been executed have not been added as parties in this writ petition. That apart, the petitioner is also seeking to cancel the subsequent sale deeds that were executed.

5. This herculean task cannot be undertaken by the District Registrar and that too, so many years after the sale deeds were executed. A person, who wants to claim a right must be vigilant in establishing that right and if he wakes up after so many decades, the District Registrar cannot be searching for the parties while dealing with the representation made by the petitioner.

6. In the considered view of this Court, the relief as sought for by the petitioner cannot be granted by this Court and the writ petition has been filed without adding the necessary parties, whose sale deeds are now sought to be



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cancelled. Hence, there is no merit in this writ petition and accordingly, the same is dismissed. No costs.

11.10.2023

NCC : Yes/No
Internet :Yes/No
Index :Yes/No
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- TO:-
- 1.The Principal Secretary to the Govt.,
Adi Dravidar and Tribal Welfare Dept.,
Chennai-600 009.
 - 2.The Director of Social Welfare,
Social Welfare Dept.,
Chepauk, Chennai-5.
 - 3.The District Collector,
O/o.The District Collector,
Trichy, Tiruchirappalli District.
 - 4.The District Social Welfare Officer,
O/o. the District Social Welfare Officer,
Tiruchirappalli.



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N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.2326 of 2021

Dated:
11.10.2023