



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.10862 of 2024
and W.M.P.No.11966 of 2024

A.K.Jayaprakash Prabhu

...

Petitioner

versus

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600 028.

2.The District Registrar,
District Register Office,
Trichy Main Road,
Dadagapatty, Salem - 636 006.

3.The Sub Registrar,
Uthukuli Sub-Registrar Office,
Karatupalayam, Uthukuli,
Tirupur District - 638 751.

4.The Sub Registrar,
Suramangalam Sub - Registrar Office,
West Taluk Office Road,
Salem District - 636 005.

5.A.K.Rajaram Mohan



6.N.Vadivel
7.C.S.Nithyanandhan
8.N.Ramesh
9.Maariappan
10.Kumar

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No.4370/A1/2022 dated 19.01.2024 and quash the same.

For Petitioner	:	Mr.R.Venkatesh
For Respondent Nos.1 to 4	:	Mr.Yogesh Kannadasan Special Government Pleader
For Respondent Nos.5 to 10	:	Ms.A.Radha

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. Challenging the impugned order, which rejected the application filed by the petitioner for cancellation of the document, the present writ petition is filed.



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3. The application has been filed merely on the ground that the respondents 5 to 10, in order to defeat the rights of the petitioner, sold the property during the pendency of the suit. Therefore, the application has been filed under Section 77-A of the Registration Act to cancel the Sale Deed, which has been rejected.

4. The learned counsel for the petitioner would submit that the petitioner, being a shareholder, he has also a share in the immovable property, however the other shareholders dealt with the property. Merely because one of the co-owners has sold the property in respect of the shares, which is permissible under law and such sales as a matter of right cannot be cancelled. Further, there is no power vested with the registering authority to go into those aspects.

5. In such view of the matter, I do not find any merits in this Writ Petition. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

23.04.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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N.SATHISH KUMAR, J.

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To

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