



WEB COPY

W.P.No.6853 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.6853 of 2023

Suraj

...

Petitioner

versus

1.The District Registrar,
Office of the District Registrar,
Tiruvarur District.

2.The Sub-Registrar,
Thiruthuraipoondi,
Tiruvarur District.

3.P.S.Arumugam

...

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 of rejection passed by the first Respondent, in Na.Ka.No.2430/Aa3/2022 dated 16.12.2022 and the impugned registration of the Deed of Cancellation dated 28.10.2013 in Doc.No.2383 of 2013, by the 2nd respondent and quash the same in view of the order passed by the Full Bench of this Court in the case of *Latif Estate Line India Ltd. Vs. Hadeeja Ammal* reported in 2011 (2) CTC 1, followed by another order



passed by the Full Bench of this Court in the case of *Sasikala Vs. Revenue Divisional Officer cum Sub-Collector* reported in 2022 (5) CTC 257.

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For Petitioner : Mr.S.Senthil
For Respondent Nos.1 & 2 : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
For Respondent No.3 : Mr.S.Parthasarathy

ORDER

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

2. Challenge has been made to the cancellation of the Sale Deed. The third respondent executed a sale in favour of the petitioner on 14.02.2012. Thereafter, both the petitioner and the third respondent presented the cancellation of the Sale Deed dated 28.10.2013 which has been registered.

3. Challenging the cancellation, now the present writ petition has been filed mainly on the ground that once a sale is registered, the same cannot be cancelled even with consent, as per the judgment of the Full Bench of this Court in *Latif Estate Line India Ltd. Vs. Hadeeja Ammal*



reported in *2011 (2) CTC 1*. Hence, the petitioner seeks to cancel the document.

4. No doubt, the Full Bench of this Court has held that the cancellation of the Sale Deed is not admissible even with consent. But the fact remains that the writ petition moved after a period of 10 years. Therefore, in view of the delay and laches, this Writ Petition cannot be entertained at this stage.

5. Accordingly, this Writ Petition is dismissed, with liberty to the petitioner to file an appropriate suit to establish the title in the manner known to law. No costs.

25.04.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

- 1.The District Registrar,
Office of the District Registrar,
Tiruvarur District.
- 2.The Sub-Registrar,
Thiruthuraipoondi,
Tiruvarur District.

W.P.No.6853 of



N.SATHISH KUMAR, J.

sri

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