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WP.No.11233 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11233 of 2024

K.S.Ravi
Petitioner

..

Versus

1. The District Registrar,
Gobichettipalayam, Erode District.

2. K.P.Manickam
3. Saraswathi
4. R.Ayyasamy
5. V.Geetha
6. P.Madeswaran
7. S.Muthusamy

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the record in NA.KA.No.1662/A3/2023 dated 19.06.2023 passed by the District Registrar and quash the same consequently direct the first respondent to cancel the entries viz., Document Nos.25/2001, 468/2007, 226/2011, 2373/2017, 249/2018 and 1127/2021 in Book 1, Sub Registrar Office, Kavundapadi.

For Petitioner : Mr.R.Ganesh

For Respondents : Mr.B.Vijay
Additional Government Pleader



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ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed challenging the impugned Order rejecting the request of the petitioner to cancel the documents registered during the pendency of the suit and remove the entries relating to those documents.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

4. It is the case of the writ petitioner that he has entered into a sale agreement with the original vendor for purchase of the property. As he failed to perform his part of obligation, O.S.No.95 of 2000 was filed and the suit was decreed on 11.09.2000. The petitioner has also filed execution petition to execute the decree. During the execution proceedings, the first respondent filed obstruction petition in E.A.46 of 2002 to cancel the decree granted in favour of the petitioner. Though the above application has been allowed by the



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executing Court, challenging the same a revision in CRP.No.14843 of 20024 has been filed and this Court by an Order dated 26.06.2018 allowed the revision and set aside the finding of the trial Court and held that the transactions happened during the pendency of the suit is hit by lis pendency and the purchaser did not derive any title. After the judgment, the suit property has been conveyed and sale deed has been executed in favour of the petitioner on 11.01.2023. According to the petitioner, since this Court has held that the subsequent sale during the pendency of the original suit is void, the authorities ought to have cancelled those documents. Hence, the present Writ Petition.

5. On a perusal of the records it appears that during the pendency of the suit, as sale deeds have been executed, they are void and the first respondent has to make entries based on the decree of this Court. In such view of the matter, the first respondent is directed to make endorsement in the revenue records to the effect that the subsequent documents executed during the pendency of the suit are invalid as per the Court Order within a period of one month from the date of receipt of a copy of this Order.

6. With the above directions, this Writ Petition is disposed of. No



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costs.

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vrc

Index :Yes/No
Internet :Yes/No
Neutral Citation : Yes/No

To,

The District Registrar,
Gobichettipalayam, Erode District.



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N. SATHISH KUMAR, J.

VRC

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