



WEB COPY

W.P.No.26431 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

**THE HONOURABLE MR. JUSTICE S. SOUNTHAR**

W.P No.26431 of 2024

Mylathal

...Petitioner

Vs.

1. The District Registrar,  
Office of District Registrar, Thiruppur.
2. The Sub Registrar,  
Udumalpet, Thiruppur District.  
Udumalpet, Thiruppur District.
3. Vanitha
4. R.Praveen
5. R.Vijaysaravanan

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to consider the representation 17.04.2023 issued by the petitioner to cancel the sale deed dated 04.06.2007 in Document No.3923 of 2007 registered before the second respondent and pass orders on the same within a reasonable time as fixed by this Court.

For Petitioner : Mr.R.Nalliyappan  
For R1 & R2 : Mr.M.Shahjahan  
Special Government Pleader

**ORDER**



The petitioner herein seeks a direction to the first respondent to consider the petitioner's representation dated 17.04.2023 seeking cancellation of the sale deed dated 04.06.2007 in Document No.3923 of 2007 registered before the second respondent.

2. According to the petitioner, the above said property was originally assigned in favour of the petitioner's husband . The petitioner's husband sold the property in favour of one Angammal on 12.04.1991. Later the said Angammal sold the property to one Krishnasam Naicker on 28.05.1992 and the said Krishnasam Naicker sold the said property on 04.06.2007 and based on the said sale deed in favour of the respondents 3 to 5, the patta was also issued in their names. It is accepted by the petitioner that all the purchasers namely Krishnasam Naicker as well as respondents 3 to 5 do not belong to Schedule Caste and Schedule Tribes and therefore, the sale of property in favour of a person who does not belongs to Schedule Caste community is not valid. Therefore, the petitioner made a representation before the first respondent seeking cancellation of the sale deed executed in favour of the respondents and the same has not been considered till date. Hence, the petitioner is before this Court.



3. Mr.M.Shahjahan, learned Special Government Pleader, who takes notice for the respondents 1 to 3 would submit that the representation of the petitioner will be considered on its own merits.

4. In view of the above, this Court, without expressing any opinion on the claim made by the petitioner and also rights of the other parties, inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 17.04.2023 and pass final order on its own merits, after issuing necessary notice to the petitioner as well as respondents 3 to 5 and other interested parties, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

**11.09.2024**

Index : Yes/No  
Internet : Yes/No  
Speaking Order/Non-Speaking Order  
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**S. SOUNTHAR, J.**

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To

1. The District Registrar,  
Office of District Registrar, Thiruppur.
2. The Sub Registrar,  
Udumalpet, Thiruppur District.  
Udumalpet, Thiruppur District.

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