



WEB COPY

W.P.No.20255 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.20255 of 2024

Akbar Leathers Employees Union
Rep by its General Secretary M.H.Babu
C/o.2/34, Periyankuppam Post,
Ambur, Vellore District
Tamil Nadu – 635 814

... Petitioner

vs

1.The Inspector General
O/o.the Inspector General of Registration
No.100, Santhome High Road,
Chennai – 28.

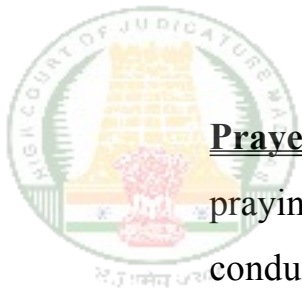
2.The Collector
Tirupattur District Collectorate
Government Garden
Tirupattur, Tamil Nadu – 635 601.

3.The Tahsildar
Ambur Taluk Office
Somalapuram
Ambur, Tamil Nadu – 653802.

4.Mr.Ghanthiraj

5.Mr.Paresh Akbar

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the first respondent herein to conduct enquiry and dispose of the petitioner's application dated 07.09.2023 for cancellation of the Registered Doc.No.6229/2008 dated 26.08.2008, Sub Registrar Office, Ambur under Section 77A of the Registration Act as expeditiously as possible.

For Petitioner : Mr.G.Muthu
For Respondents : Mr.M.Shajahan, Spl.GP for R1
Mr.G.Ameedius for R2 & R3

ORDER

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

2. The case of the petitioner is that Akbar Leathers Ltd, Ambur had filed CP.No.47 to 51 of 1998 before the Labour Court, Vellore, wherein orders have been passed in favour of the 19 employees, other than the employees who are member in the present union. The Court also ordered the amount to be collected from the Management of Akbar Leather Ltd by way of conducting public auction and distribute the amount to the said 19 employees. By an auction notice dated 02.01.2003, public auction was conducted on 09.01.2003 and the 4th respondent paid the 25% of the initial amount with a condition to pay the balance amount within 30days from the



auction, thereafter, it appears that the property has been sold to the 4th respondent.

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3. Heard the learned Counsel for the petitioner and the learned Special Government Pleader for first respondent and learned Government Advocate for respondents 2 and 3 and perused the materials available on record.

4. According to the petitioner, the property has been under valued and the petitioner has given a representation dated on 07.09.2003 to the first respondent for cancellation of the Doc.No.6629/2008 dated 26.08.2008 at SRO, Ambur.

5. The very affidavit itself indicates that the petitioner lost his rights in the Industrial Dispute before the concerned authorities. The property is said to have been sold in the public auction during the year 2008 itself. Now, one of the employees of the association seeks to cancel the document under Section 77A. This Court is of the view that it is nothing but an abuse of powers of Article 226 of the Constitution of India. Hence, I do not find any merits in this writ petition.



5. In the result, the writ petition is dismissed. No costs.

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24.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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N.SATHISH KUMAR, J.

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