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W.P. No.18833 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18833 of 2024 and
W.M.P. No.20665 of 2024

C.Murugesan

... Petitioner

Vs

1.The Inspector General
Registration Department
No.100, Santhome HighRoad
Pattinampakkam, Chennai - 600 028

2.The Deputy Inspector General
Registration Department
3rd Floor, Room No.313
Office of Salem Collectorate, Salem

3.The District Registrar
Salem West Registration Department
Office of Salem Collectorate, Salem

4.The Sub Registrar
Omalur Sub Registrar's Office
Omalur Taluk, Salem District

5.Mathialagan

6.Ms.Amutha

... Respondents



W.P. No.18833 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to cancel the documents bearing Document Nos.1540/2014, 3848/2014, 3035/2022 and 11048/2023 registered on the file of the 4th respondent by considering petitioner's representation dated 16.03.2024 within a time as stipulated by this Court.

For Petitioner : Ms.Mahasree Thangaraj

For Respondents : Mr.M.Shajahan,
Spl. Govt. Pleader for R1 to R4

ORDER

This writ petition is filed for a direction to the 3rd respondent to cancel the documents bearing Document Nos.1540/2014, 3848/2014, 3035/2022 and 11048/2023 registered on the file of the 4th respondent by considering petitioner's representation dated 16.03.2024.

2. It is the case of the writ petitioner that he has purchased the property of an extent of 58 cents by a sale deed dated 23.03.2020, registered as Document No.2393/2020 on the file of the fourth respondent. Originally, the property belonged to one Pachiammal by virtue of a purchase on 16.02.1946 registered as Document No.614/1946. The said Pachiammal, during her



W.P. No.18833 of 2024

lifetime partitioned the said property to her three sons, including one Venkatachalam. The subject property was allotted to Venkatachalam by partition deed dated 16.02.1974 registered as Document No.322/1974. Venkatachalam died intestate and his three sons, namely Govindaraju, Settu @ Ramu and Supramani succeeded to the subject property. The three sons of the said Venkatachalam sold the subject property to one Ayyandurai @ Ayyathurai vide sale deed dated 13.03.2007, registered as Document No.1538/2007. Thereafter, the said Ayyathurai along with his vendors sold the subject property to one Balakrishnan on 24.09.2007, registered as Document No.6256/2007. The said Balakrishnan has sold the property to one S.P.Ravi on 29.10.2007 vide document No.7126/2007. The said Ravi sold the subject property to one Arulmani and Ramalingam vide sale deed dated 22.07.2011 registered as Document No.7007/2011. Thereafter, the said Arulmani and Ramalingam have executed a power of attorney on 08.06.2012 in favour of one Govindan. The said Govindan as the power agent, sold the subject property to one Arulkumar on 29.08.2013 vide Document No.7329/2013. The petitioner has purchased the subject property from the said Arulkumar. Hence, according to him, a release deed is said to have been taken place on 21.02.2014. Based on the said release deed, one Chinnaiyan has sold the property to the respondents 5 and 6 vide sale



W.P. No.18833 of 2024

WEB COPY

deed dated 19.05.2014 registered as Document No.3848/2014. Hence, according to him, a criminal case has been filed. According to the petitioner, all the sale deeds and other documents executed by the private respondents are to be cancelled by the Sub Registrar by invoking the inherent powers.

3. From the facts narrated above, this court is of the view that it is a clear case of title dispute between the parties. It has to be established only before the civil court. There is no forgery or whatsoever involved. The parties claiming to be the owner of the property have dealt with the property. In such view of the matter, it is for the petitioner to work out his remedy before the civil court and not before this court. Hence, I do not find any merit in the writ petition and the same deserves to be dismissed at the stage of admission itself.

4. Accordingly, the writ petition is dismissed. However, there is no order as to costs. Consequently, the connected writ miscellaneous petition is closed.

16.07.2024

Asr

Index : Yes/No

Neutral Citation : Yes/No



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High Court,
Madras



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N.SATHISH KUMAR, J.

Asr

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