



W.P.No.34172 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 34172 of 2024

P.Subramani

...Petitioner

Vs.

1.The District Collector
Ranipet Registration District,
Ranipet.

2.The Sub Registrar,
Kalavai Sub-Registrar District,
Kalavai.

3.Kuppan

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the Sub Registrar, Kalavai, 2nd respondent herein to register the document dated 24.09.2024 sale deed in docket number TP 195782543/2024 presented for registration and return the same after registration.

For Petitioner : Mr. A.V.Arun

For Respondents : Mr. M.Shahjahan
1 & 2

ORDER

Aggrieved by the fact that the 2nd respondent has refused to accept the sale deed executed by the petitioner, in favour of one Karthi on 24.09.2024, the petitioner is before this Court.

2. The subject lands measuring an extent of 2 acres 23 cents comprised in S.No.29/1, Ponnambalam Village, Kalavai Taluk,



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Ranipet, belonged to the petitioner's father, Palani @ Chinnasami Gramani. The Patta was also granted in his name and in the name of Subbaraya Gramani, Chinnasami Gramani's father. After the death of Chinnasami Gramani, the petitioner herein inherited the property and patta was issued in his name in respect of 2 acres and 23 cents.

3. Thereafter, the petitioner had sold an extent of 23 cents to one Sivakumar under a registered sale deed dated 13.07.2010 and in respect of the remaining 2 acres he had appointed the present power agent, Sivakumar. Through his power agent the remaining 2 acres was sold in favour of one Mahimainathan Thulasiraj, under a registered sale deed dated 22.06.2011. The said Mahimainathan Thulasiraj name was also included in Patta No.157. The said Mahimainathan Thulasiraj inturn sold 1 acre out of 2 acres purchased by him in favour of his brother, Sidharthan Jesudhasan.

4. After all these transactions, the 3rd respondent lodged a



complaint with the Inspector of Police, Ranipet claiming that the property belonged to Palani @ Chinnasamy Gramani and that he being the son of the said Palani @ Chinnasamy Gramani was the owner of the property.

5. The petitioner would submit that the father of the 3rd respondent was one Palani Gramani, who died leaving behind him surviving his wife Muniammal and three sons, namely, Kuppan, Ravi and Panjaksharan. All the revenue records stands in the name of Chinnasami Gramani. The 3rd respondent's father was not the son of Subbaraya Gramani but was the son of Govindha Gramani.

6. Taking advantage of the similarity of the names, complaint came to be lodged with the Police. On the pressure exerted by the 3rd respondent, the Police had issued notice to the petitioner and two purchasers to cancel the sale deed standing in their name. On account of this pressure, the purchasers, namely, Mahimainathan and his



brother Sidharthan Yesudhasan had cancelled the sale deed in their respective names and demanded back the money from the petitioner.

7. The petitioner in order to settle the aforesaid persons had sought financial assistance from one Karthi and had agreed to sell 2 acres of land in S.No.29/1 in favour of Karthi and it is this document which is presented for registration and which has not been taken for registration. Therefore, the petitioner is before this Court.

8. Heard the learned counsels on the either side and perused the records.

9. It is orally informed by the 2nd respondent that there are several transactions in respect of the property. This stand of the 2nd respondent is absolutely without jurisdiction. Even the transactions reflected in encumbrance certificate would clearly show that 2 acres of



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land which had been alienated to Mahimainathan has been cancelled by the purchasers themselves. Therefore, there is no subsisting encumbrance over the property. Therefore, the refusal on the part of the 2nd respondent to register the document is absolutely erroneous.

10. Accordingly, the Writ Petition is allowed. Mandamus is issued directing the 2nd respondent to register the sale deed, within a period of 2 weeks from the date of receipt of a copy of this order. No costs.

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Index : Yes/No
Internet : Yes/No
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To

- 1.The District Collector
Ranipet Registration District,
Ranipet.
- 2.The Sub Registrar,
Kalavai Sub-Registrar District,
Kalavai.



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P.T. ASHA, J,

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