



W.P(MD)No.2704 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.2704 of 2023

C.Ravichandran

... Petitioner

Vs.

- 1.The District Collector
The District Collector Office,
Palace Nagar, Pudukottai.
- 2.The District Registration (Administration),
The District Head Office of the
Registration Department,
Pudukottai- 622 001.
- 3.The Tahsildar,
The Tahsildar Office,
Manamelkudi Village,
Manamelkudi Taluk,
Aranthangi, Pudukottai District.
- 4.Seenivasan
- 5.R.Panneer Selvam
- 6.C.Thangaraj
- 7.T. Latha
- 8.G. Kumar
- 9.Abdul Hannan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to cancel the sale deed vide Document No. 1/595/2002 dated 06.04.2022,



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comprising in Survey Nos.89/2, 89/3 and 89/13 constituting 2200 square meters of property situated at Azhaganvayal Village, Kattumavadi Post, Manamelkudi Panchayat Union, Manamelkudi Taluk, Pudukottai District based on the petitioner's representation sent to the 2nd respondent dated 18.07.2022 within the time frame as stipulated by this Court.

For Petitioner	: Mr.L.Prabhu
For R1 to R3	: Mr.M.Siddarthan Additional Government Pleader
For R6 & R7	: Mr.V.S.Batrinath
For R4 & R5	: No Appearance

ORDER

The petitioner seeks a direction to the 2nd respondent to cancel the sale deed vide Document No. 1/595/2002 dated 06.04.2022 in respect of the property in Survey Nos.89/2, 89/3 and 89/13 situated at Azhaganvayal Village, Kattumavadi Post, Manamelkudi Panchayat Union, Manamelkudi Taluk, Pudukottai District based on the petitioner's representation dated 18.07.2022.

2.Heard the learned counsel appearing on either side and perused the materials placed on record.

3.The contention of the petitioner is that the subject property belongs to the parents of the petitioner. They executed a Will in favour of the petitioner



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and his brother in respect of the said properties. After the demise of his parents, the sixth respondent, brother of the petitioner had illegally executed a sale deed in respect of the entire property. Hence, the petitioner has filed a petition to cancel the same. Since the same was not considered, the petitioner has filed this writ petition.

4.At the outset, the prayer sought for by the petitioner in this writ petition is not maintainable, since the very Section 77(A) inserted under Registration Act to cancel the registered document, is struck down by the Division Bench of this Court in W.P.No.10291 of 2022 batch. That apart fraudulent transaction cannot be gone into by the authorities, which has to be established in the manner known to law before the civil Court in view of the decisions made in **Satya Pal Anand v. State of M.P.[2016 10 SCC 767]** and **G. Rajasulochana v Inspector General [W.P 29706 of 2024 dated 16.04.2024]**. Accordingly, this Writ Petition is dismissed. No costs.

27.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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N.SATHISH KUMAR, J

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