



W.P.(MD) No.21428 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

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S.Chellappa Nadar

...Petitioner

-VS-

1.The District Collector,
Office of the District Collector,
Tenkasi, Tenkasi District.

2.The Special Sub Collector,
District Collector Office,
Tenkasi, Tenkasi District.

3.The Sub Registrar,
Office of the Sub Registrar,
Pavoorchathiram,
Tenkasi District.

4.V.Marimuthu

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the second and third respondents to act upon the instructions and directions under Reference No.2021/9005/34/170234/0806 dated 21.10.2021 given by the first respondent with regard to the cancellation of all fake transactions



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and documents as entered into between the 4th respondent and other people in relation to the property bearing Survey No.18/1H measuring to an extent of 56 cents situated at Kulasekarapatti Village, Tenkasi Taluk, Tenkasi District on the file of the third respondent forthwith.

For Petitioner	: Mr.S.Palani Velayutham
For R1 & R2	: Mr.D.Gandhiraj Special Government Pleader
For R3	: Mr.K.S.Selvaganesan

ORDER

This writ petition has been filed seeking a direction to the second and third respondents to act upon the instructions and directions given by the first respondent with regard to the cancellation of fake documents in respect of the subject property.

2.The petitioner is the owner of the property in Survey No.18/1H measuring an extent of 56 cents. He has executed a power deed in favour of the fourth respondent only in respect of 37 cents in the subject property. However, the fourth respondent had executed a sale deed in respect of the entire extent of property. Now the petitioner has filed this writ petition seeking to implement the order of the first respondent dated 21.10.2021.



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3.Perusal of the order passed by the first respondent dated 21.10.2021 shows that the order has been passed based on the application submitted by the son of the petitioner seeking to change the patta in respect of the subject property in his name. The first respondent after conducting enquiry, had observed that since the documents relating to the subject property stands in the name of the father of the applicant/petitioner herein, the applicant has to change the same into his name by registered documents and then proceed further in accordance with law for obtaining separate patta in his name.

4.The petitioner without challenging the sale deeds executed by the fourth respondent had filed this writ petition, seeking to implement the directions issued by the first respondent. Further, the first respondent had only directed the petitioner's son to get the documents registered in his name in respect of the subject property. Hence, it is for the petitioner or his son to get necessary documents registered in their favour. Without doing so, the petitioner as matter of right cannot seek any direction to the



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authorities concerned.

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5.In view of the above, I do not find any merits in this writ petition. Accordingly, this writ petition is dismissed. No costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

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N.SATHISH KUMAR, J.

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