



W.P(MD)No.19331 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.19331 of 2023

and

W.M.P.(MD)No.16006 of 2023

S.Arunkumar

...Petitioner

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.
- 2.The Deputy Inspector General of Registration,
Registration Department,
Nandanam, Chennai.
- 3.The District Registrar,
Virudhunagar District, Virudhunagar.
- 4.The Sub Registrar,
Rajapalayam Sub Registrar Office,
Virudhunagar District.
- 5.Suresh Kannan
- 6.Nagashankar
- 7.Parthiban
- 8.Sreekumar Shankara Pillai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, to call for the



W.P(MD)No.19331 of 2023

records pertaining to the impugned communication of the 3rd respondent in Na.Ka.No.6756/Aa5/2022, dated 21.02.2023 quash the same as illegal and consequently, to direct the 2nd respondent to conclude the enquiry initiated under LG-U-U4/1120/2022-U-Sec dated 31.01.2023 within the time frame as fixed by this Court.

For Petitioner : Mr.B.Prasanna Vinoth
For R1 to R4 : Mr.P.Subbaraj,
Special Government Pleader
For R5 : No Appearance
For R6 : Mr.K.Sivabalan

ORDER

Challenge has been made to the order of the 3rd respondent, dated 21.02.2023, rejecting the request of the petitioner to cancel the sale deed dated 18.11.2019.

2.It is the case of the petitioner that the sale deed dated 18.11.2019 came to be executed by the petitioner in favour of the 7th respondent under threat and coercion and the entire sale consideration has not been paid by the 7th respondent. Therefore, the petitioner made a representation dated 06.10.2022 to the 3rd respondent, seeking cancellation of the sale deed dated 18.11.2019. However, the 3rd respondent, vide communication dated 21.02.2023, stated that



W.P(MD)No.19331 of 2023

there is no provision under Section 77(A) of the Registration Act to cancel the sale deed already registered. Aggrieved by the same, the petitioner has filed this Writ Petition.

3.On perusal of the impugned communication of the 3rd respondent, this Court is of the view that the 3rd respondent has rightly rejected the request of the petitioner. If the petitioner is of the view that the sale deed has been executed under coercion, his remedy would have been before the civil Court not before this Court and it has to be proved in the manner known to law. In such view of the matter, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

05.09.2024

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

Yuva

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.
- 2.The Deputy Inspector General of Registration,
Registration Department,
Nandanam, Chennai.



WEB COPY



W.P(MD)No.19331 of 2023

N.SATHISH KUMAR, J

Yuva

3.The District Registrar,
Virudhunagar District, Virudhunagar.

4.The Sub Registrar,
Rajapalayam Sub Registrar Office,
Virudhunagar District.

W.P(MD)No.19331 of 2023

05.09.2024