



W.P.(MD)Nos.22306, 22177 & 22178 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.22306, 22177 & 22178 of 2022
and W.M.P.(MD)Nos.16501, 16351 & 16358 of 2022

Sangaiah

... Petitioner in
W.P.(MD)No.2230/2022

V.Kalidoss

... Petitioner in
W.P.(MD)No.22177/2022

K.Saranya

... Petitioner in
W.P.(MD)No.22178/2022

Vs.

1.The Inspector of General (Registration Department,
Office of the Inspector of General,
No.100, Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
Office of the District Registrar,
Tenkasi.

3.TN SPL 144 Sankarankovil Co-Operative
Society Ltd.,, Sankarankovil,
Tenkasi Rep by its Liquidation Officer.

.... Respondents in
all W.Ps.

(R3 cause title substituted vide order dated
21.09.2022 in W.P.(MD)Nos.22177 & 22178/2022)



W.P.(MD)Nos.22306, 22177 & 22178 of 2022

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the 2nd Respondent not to cancel the sale deed dated 30.12.2020 in D.Nos. 4123/2020, 4121/2020 registered at Sankarankovil Sub Registrar Office, Tenkasi District based on the petitioner's in W.P.(MD)No.22306 of 2022 representation dated 30.08.2022.

For Petitioner (In all W.Ps)	: Mr.S.M.Mohangandhi
For Respondents (In all W.Ps)	: Mr.P.Subbaraj, Spl. Govt. Pleader for R1 & R2 No Appearance for R3

COMMON ORDER

This Writ Petitions have been filed seeking for issuance of a Writ of Mandamus, forbearing the 2nd Respondent not to cancel the sale deed dated 30.12.2020 in D.Nos.4123/2020, 4121/2020 registered at Sankarankovil Sub Registrar Office, Tenkasi District based on the petitioner's in W.P.(MD)No.22306 of 2022 representation dated 30.08.2022.

2. Heard the learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.



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3. It is the case of the writ petitioners they have purchased the subject properties from the third respondent and got possession of the same. The Official Liquidator of the 3rd respondent society has given a compliant to the 2nd respondent seeking to cancel the sale deed in favour of the petitioners. Based on the said complaint, the 2nd respondent issued summons to the petitioners asked them to appear for enquiry. Hence, the petitioners made representations dated 30.08.2022 requesting to not to proceed the enquiry against the innocent buyers and not to cancel the sale deeds. However, the 2nd respondent is continuing the enquiry against the innocent buyers also and trying to cancel the sale deeds of the petitioners. Hence, the petitioners have filed these Writ Petitions.

4. Considering the facts and circumstances the case, this Court is of the view that as the Registering Authority has no power to cancel the documents as declared by the Hon'ble Supreme Court in *Satya Pal Anand vs. State of Madhya Pradesh and others* reported in (2016) 10 SCC 767, the prayers sought for by the petitioners cannot be granted by this Court. All these facts cannot be looked into by the authorities and the same has to be agitated before the civil Court.



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5. With the above observations, these Writ Petitions are dismissed.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

20.08.2024

NCC : Yes/No
Index : Yes/No
vsm



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N.SATHISH KUMAR, J.

vsm

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