



W.P.(MD)No.25460 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.25460 of 2022

R.Sampath Kumar

... Petitioner

Vs

1. S.Arun Jeyagar

2. S.Sudhakar

3. K.Prasanna

4. The Sub Registrar,
Joint-3 Sub Registration Office,
Fort, Trichy-2.

5. The District Registrar,
Trichirappalli District,
Cantonment, Trichy-1.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 5th respondent to declare that the sale deed, dated 15.09.2022 registered as document No. 4479/2022 at Joint -III Sub Registration Office, Trichirappalli as invalid and not pending on the petitioner in any way within the time stipulated by this Court.



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For Petitioner : Mr. N.Selvam
For Respondents : Mr.B.Prasanna Vinoth (R1-R3)
Mr.C.Satheesh (R4,R5)
Government Advocate

ORDER

This Writ Petition has been filed seeking a mandamus directing the 5th respondent to declare that the sale deed, dated 15.09.2022 registered as document No. 4479/2022 at Joint -III Sub Registration Office, Trichirappalli as invalid.

2.Heard the learned counsel appearing for the petitioner, learned Counsel appearing for the respondents 1 to 3 and the learned Government Advocate appearing for the respondents 4 and 5. Perused the materials on record.

3. The very relief sought for by the petitioner is a clear abuse of process of law. The petitioner claims that he is an agreement holder from one Sankara Subramanian. After the execution of sale agreement, the said Sankara Subramanian died. After his demise, the legal heirs of said Sankara Subramanian, the respondents 1 and 2 executed a sale deed in favour of the 3rd respondent in respect of the same property. By challenging the sale deed already registered on the 5th respondent on 15.09.2022, this writ petition had been filed to declare the



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same as void. From the above, the filing of writ petition itself is a clear abuse of process of law and his remedy lies somewhere and not in writ petition.

4. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

21.10.2024

NCC : Yes/No
Index : Yes/No
PNM

To
1. The Sub Registrar,
Joint-3 Sub Registration Office,
Fort, Trichy-2.

2. The District Registrar,
Trichirappalli District,
Cantonment, Trichy-1.



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N.SATHISH KUMAR, J.

PNM

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