



W.P(MD).No.28797 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.28797 of 2023

and

W.M.P(MD).Nos.24839 and 24841 of 2023

Nagarajan

... Petitioner

Vs.,

1.The District Registrar (Administration)

O/oThe District Registrar,
Dindigul, Dindigul District.

2.The Sub Registrar,

Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings of the second respondent in Na.Ka.No.222/2023 dated 10.08.2023 and quash the same as illegal and consequently direct the respondents to release the sale deed registered as Doc.No.1574 of 2023 on the file of the second respondent within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.M.Siddharthan
Additional Government Pleader



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ORDER

Challenge has been made against the impugned proceedings of the second respondent in Na.Ka.No.222/2023 dated 10.08.2023 recommending to cancel the document registered in favour of the petitioner.

2. The case of the petitioner is that he purchased the land to an extent of 1 acre and 28 cents in S.No.2278/3 situated at Villpatti Village, Kodaikanal Taluk, Dindigul District and the same was registered as agricultural land. It appears that some of the person in occupation of the said survey number has given a complaint to the Sub-Registrar as if that in the subject property many houses, temple and church are there. Based on that allegation, the impugned communication was issued recommending the document registered in favour of the petitioner sought to be cancelled.

3. At the outset, this Court is of the view that once the document is registered, merely on the basis of some allegation raised by third party, that document cannot be cancelled. Even assuming that if there is any undervaluation, it ought to have been determined then and there and not at the instance of the third



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party. In such view of the matter, the impugned proceedings passed by the second respondent in Na.Ka.No.222/2023 dated 10.08.2023 is hereby set aside and the Writ Petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

23.09.2024

NCC : Yes/No

Index : Yes/No

Rmk

To

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2.The Sub Registrar,
Kodaikanal,
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N.SATHISH KUMAR, J.

Rmk

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