



W.P.No.39092 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **03.09.2025**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.39092 of 2003

S.M.Deenadayalan

... Petitioner

Vs.

1.The Registrar General,
Office of the Registrar General,
Santhome High Road,
Mylapore, Chennai – 600 028.

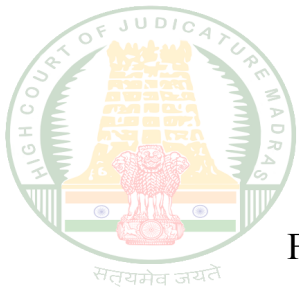
2.The Sub-Registrar,
Sembium Sub-Registrar's Office,
Paper Mills Road,
Perambur, Chennai – 600 011.

3.J.Dhinakaran

4.N.Senthil Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records in respect of the void sale deed document No.716 of 2002 registered in the office of the 2nd respondent herein in Book No.I, Volume No.3542, pages from 73 to 81 dated 06.02.2002 and quash the same, consequently direct the respondents 1 and 2 to issue a cancellation certificate to the petitioner herein within two weeks from the date of receipt of the order in the above W.P.



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For Petitioner : Mr.S.M.Deenadayalan (Party-in-Person)

For Respondents : Mr.A.M.Ayyadurai
Government Advocate [R1 & R2]
No appearance [R3 & R4]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the entire records in respect of the void sale deed document No.716 of 2002 registered in the office of the 2nd respondent herein in Book No.I, Volume No.3542, pages from 73 to 81 dated 06.02.2002 and quash the same, consequently direct the respondents 1 and 2 to issue a cancellation certificate to the petitioner herein within two weeks from the date of receipt of the order in the above W.P.

2. The case of the petitioner is that he is the owner of the property in Plot No.12, Siva Sakthi Nagar, Madhavaram, Chennai – 600 060, which was purchased by the petitioner from the Power of Attorney agent of the land owner, vide valid sale document No.555/1990 dated 14.02.1990 and the said plot was duly approved by the MMDA under PPD/LO No.180/88 and Letter No.D2/L/9985/88 dated 28.11.1988. Subsequently, the private respondents fraudulently executed a bogus sale



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deed in document No.716/2002 in respect of Plot No.12A. For cancellation of the said document, the petitioner has filed this writ petition before this Court for appropriate orders.

3. The learned counsel for the petitioner has not appeared before this Court, since he was hospitalized. Therefore, the petitioner, being an advocate, appeared before this Court and submitted that though at the time of filing of this writ petition, the registration officials were vested with the power of cancellation of documents, in view of the subsequent developments, the 77A proceedings was taken away by this Court and held ultra vires. Hence, this Court may grant permission to the petitioner to file an appropriate civil suit against the respondents and the subsequent purchaser of the property in Plot No.12A for the cancellation of documents before the competent Civil Court.

4. In view of the limited request sought by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, grants liberty to the petitioner to approach the competent Civil Court for appropriate remedy and the period pending before this Court is excluded for the purpose of limitation, enabling the



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petitioner to file a civil suit against the respondents and the subsequent purchaser of the property in Plot No.12-A, if any.

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5. With the above liberty, this Writ Petition is disposed of. No costs.

03.09.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To
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M.DHANDAPANI, J.

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