



W.P.No.5569 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

The HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.5569 of 2025

S.Mohamed Rafik Ali

...Petitioner

Vs.

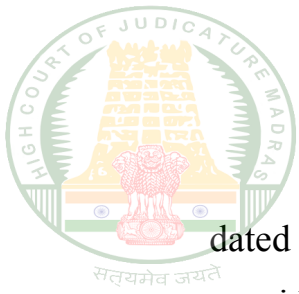
1. The District Registration Officer
Rangampalayam,
Erode 638 009.

2.The Revenue Divisional Officer
The Revenue Divisional Office,
Gobichettipalayam,
Erode District.

3.The Sub-Registrar
Bhavani Sub Registrar Office,
Varanapuram, Bhavani
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for
issuance of Writ of Mandamus based on the petitioner's representations



W.P.No.5569 of 2025

dated on 5.07.2022 , 26.07.2023 , 29.09.2023 and this petition may be considered in all seriousness, just and necessary to take proper action to execute the sale deed of petitioner property situated at Old No. 460C1, C2 comprised with patta No. 1193 Survey No. 312/5 Periyapuliyur Village, Bhavani Circle, Bhavani, Erode District on the sub registrar office of Bhavani , and measuring to an extent of 1500 sq.ft at plot No. 13 and 2446/1/4 at Plot No. 14 comprised with re-survey No. 312/6 and 313 with general pathway.

For Petitioner : Mr.S.D.Mohamed Musthaqem
Raja
For Respondents : Mr.P.Harish
Government Advocate

ORDER

This Writ Petition has been filed for a direction to the respondents to execute the sale deed of petitioner property situated at Old No. 460C1, C2 comprised with patta No. 1193 Survey No. 312/5 Periyapuliyur Village, Bhavani Circle, Bhavani, Erode District on the sub registrar office of Bhavani , and measuring to an extent of 1500 sq.ft at plot No. 13 and 2446/1/4 at Plot No. 14 comprised with re-survey No. 312/6 and 313 with general pathway.



W.P.No.5569 of 2025

3. The learned counsel appearing for the petitioner would submit that

the aforesaid property belongs to one A.Kandhasamy and the said Kandhasamy executed Power of Attorney in favour of the petitioner's father on 16.06.2008 by virtue of registered Power of Attorney dated 16.06.2008 in favour of the Petitioner's father Mr.Sahul Hameed. Thereafter, the said Kandasamy executed mutual agreement in favour of the petitioner along and his mother on 28.01.2008 and 01.07.2008. He also executed the receipt of the sale in favour of the petitioner's father for the consideration of Rs.1,10,000/- and in the meantime, the power of attorney was given by one Mr.A.Kandasamy to the petitioner and the mutual sale agreement was executed by himself in favour of the petitioner for the said property. The Petitioner's father Sahul Hameed passed away on 13.12.2017 . But, one Mr.A.Kandasamy has not come forward to execute the sale deed despite several requests. Thereafter, the petitioner in the capacity of the L/R approached the respondents for registration of the aforesaid property but they refused to register the same. In this regard he made several representations to the respondents on 05.07.2022, 26.07.2023 and 29.09.2023. Since no action has been taken on the said representations, the



W.P.No.5569 of 2025

petitioner has come forward with this writ petition seeking for the aforesaid

relief.

3.1. Further, he would submit that the original owner is now ready to execute the Sale Deed.

4. The learned Government Advocate appearing for the respondents on instructions would submit that if the original owner of the property intends to execute the sale deed, the respondents have no objection to register the sale deed.

5. Heard both sides. Perused the records.

6. Considering the facts and circumstances of the case and having regard to the submissions made, since the original owner himself is ready and willing to execute the sale deed, the respondents are directed to pass orders on the representation of the petitioner dated 29.09.2023, on merits and in accordance with law, within a period of four weeks from the date of



W.P.No.5569 of 2025

receipt of a copy of this order and communicate the decision taken to the
petitioner.

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7. With the above directions, this writ petition is disposed of. No
costs.

02.09.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No
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To

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W.P.No.5569 of 2025

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KRISHNAN RAMASAMY, J.

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W.P.No.5569 of 2025

Writ Petition No.5569 of 2024

02.09.2025