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W.P.No.6733 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6733 of 2019

And

W.M.P.Nos.7545 and 7548 of 2019

1.Saraswathy

2.Kalaiselvi

... Petitioners

Vs.

1 The Inspector General of Registration,
Santhome,
Chennai – 600 028.

2 The Sub-Registrar of Assurances,
Anna Nagar
Chennai – 600 040.

3 L.Rajalakshmi

4 L.Thara Sundari

5 L.Tirupurasundari

6 L.Sundara Prabha

7 L.Yogalakshmi

8 R.Padmavathy

9 Titus Vanathaian

10 Ebiphania Mary

11 Sagayaraj Vanathaian

(R9 to R11 are impleaded as per
order dated 08.09.2025 in
WMP.31832/2024 in
WP.6733/2019 by MDIJ)

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the respondents particularly that of the second respondent to quash the deed of cancellation of sale executed by Padmavathy and Selvam all dated 15.05.1995 registered as Document No.1294, 1295 and 1317/1995 by the Sub Registrar of Assurances, Anna Nagar, cancelling and revoking the sale deeds all dated 28.04.1995 vide Document Nos.1216, 1217 and 1218 of 1995 as illegal and unlawful without jurisdiction as the same are unilateral.

For Petitioner : Mr.T.S.Rajamohan

For Respondents : Mr.U.Baranidharan for R1 and R2
Special Government Pleader
R3, R4, R6 – Not Ready Notice
Mr.R.Ganesan for R5 and R7
Mr.G.S.Vivekmani for R8
for M/s.Giridhar and Sai
Mr.Rajkishore Bhagwatsaran
for impleaded respondents

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorari calling for the records of the respondents particularly that of the second respondent to quash the deed of cancellation of sale executed by Padmavathy and Selvam all dated 15.05.1995 registered as Document No.1294, 1295 and 1317/1995 by the Sub Registrar of



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Assurances, Anna Nagar, cancelling and revoking the sale deeds all dated 28.04.1995 vide Document Nos.1216, 1217 and 1218 of 1995 as illegal and unlawful without jurisdiction as the same are unilateral.

2.The learned counsel appearing for the petitioners submitted that the first petitioner is the wife of one Selvam and the second petitioner is the daughter of one Selvam. The learned counsel further submitted that the property bearing Door No.10, Rangamannar Chetty Street and Door No.4, Chidambara Mudali Street in Ayanavaram Village measuring an extent of 2 grounds and 1734 sq.ft. belonged to respondents 3 to 8 and one Thulasi Bai and they executed power of attorney in favour of the eighth respondent and Selvam. Thereafter, both the eighth respondent and Selvam executed registered sale deeds all dated 28.04.1995 vide Document Nos.1216, 1217 and 1218 of 1995, however, thereafter, they revoked and cancelled the said sale deeds and executed registered sale deeds dated 18.05.1995 in Document Nos.1855, 1856 and 1318 of 1995 in favour of one Theresa Michael and aggrieved by the action of the second respondent in proceeding to accept the deeds of revocation of sale deed dated 15.05.1995 registered as Document No.1294, 1295 and 1317/1995, the petitioners have filed this writ petition.

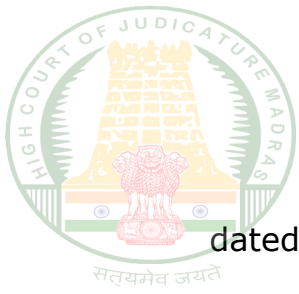


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3.The learned counsel appearing for the petitioners further submitted that the second respondent have no authority to cancel the sale deeds unilaterally and if at all the sale deeds are to be cancelled, in has to be cancelled only by way of adjudication in civil suit. In support of his contentions, the learned counsel relied upon the judgment of this Court reported in 2022 SCC Online Mad 4343 [Sasikala Vs. Revenue Divisional Officer and another].

4.Per contra, the learned counsel appearing for the impleaded respondents/ respondents 9 to 11 submitted that one Selvam executed sale deeds dated 18.05.1995 in Document Nos.1855, 1856 and 1318 of 1995 in favour of one Theresa Michael and the respondents 9 to 11 are the legal heirs of Theresa Michael and challenging the sale deed, the original owners/ respondents 3 to 8 filed suit in O.S.No.2935 of 1998 on the file of the learned III Additional Judge, City Civil Court, Chennai and vide judgment dated 31.07.2003, the said suit was decreed in respect of Document Nos.1855 and 1318 of 1995 as against which the said Theresa Michael filed appeal suit in A.S.No.170 of 2004 before this Court and after her demise, respondents 9 to 11 were brought on record in the appeal suit and this Court vide judgment



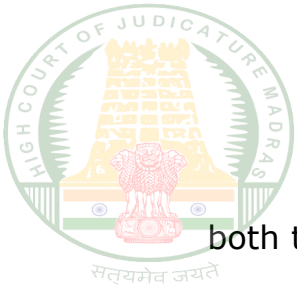
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dated 25.03.2021 allowed the said appeal and challenging the same, the respondents in A.S.No.170 of 2004 filed SLP before the Hon'ble Apex Court and the Hon'ble Apex Court vide order dated 21.02.2022 dismissed the said SLP. The learned counsel further submitted that challenging the sale deed in Document No.1856 of 1995, the respondents 4 to 8 have filed another suit before the XVIII Additional City Civil Court, Chennai.

5.The learned counsel appearing for the impleaded respondents/ respondents 9 to 11 further submitted that when the sale deeds executed in favour of Theresa Michael was confirmed by this Court and the same was affirmed by the Hon'ble Apex Court, the petitioners cannot challenge the earlier revocation of sale deeds in this writ petition.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.Perusal of records disclose that the subject property belonged to respondents 3 to 8 and one Thulasi Bai and they executed power of attorney in favour of the eighth respondent and Selvam. Thereafter,



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both the eighth respondent and Selvam executed registered sale deeds all dated 28.04.1995 vide Document Nos.1216, 1217 and 1218 of 1995, however, thereafter, they revoked and cancelled the said sale deeds and Selvam executed registered sale deeds dated 18.05.1995 in Document Nos.1855, 1856 and 1318 of 1995 in favour of one Theresa Michael.

8.Perusal of records further disclose that challenging the sale deeds executed in favour of Theresa Michael, the original owners/ respondents 3 to 8 filed suit in O.S.No.2935 of 1998 on the file of the learned III Additional Judge, City Civil Court, Chennai and vide judgment dated 31.07.2003, the said suit was decreed in respect of Document Nos.1855 and 1318 of 1995 as against which the said Theresa Michael filed appeal suit in A.S.No.170 of 2004 before this Court and after her demise, respondents 9 to 11 were brought on record in the appeal suit and this Court vide judgment dated 25.03.2021 allowed the said appeal and challenging the same, the respondents in A.S.No.170 of 2004 filed SLP before the Hon'ble Apex Court and the Hon'ble Apex Court vide order dated 21.02.2022 dismissed the said SLP.



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9. Aggrieved by the action of the second respondent in proceeding to accept the deeds of revocation of sale deed dated 15.05.1995 registered as Document No.1294, 1295 and 1317/1995, the petitioners have filed this writ petition. However, when the sale deeds executed in favour of Theresa Michael was confirmed by this Court and the same was affirmed by the Hon'ble Apex Court, the petitioners cannot challenge the earlier revocation of sale deeds in this writ petition.

10. The writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08.09.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1 The Inspector General of Registration,
Santhome,
Chennai – 600 028.
- 2 The Sub-Registrar of Assurances,
Anna Nagar
Chennai – 600 040.

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