



W.P.No.17709 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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K.Pitchaikaran

... Petitioner

Vs.

1. The District Superintendent of Police,
Villupuram District.

2. The Deputy Superintendent of Police,
Villupuram District.

3. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

4. The District Registrar,
Kallakurichi District.

5. The Registrar,
Sub Registrars Office,
Thiruvennai Nallur,
Kallakurichi District.

6. P.Indiragandhi

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the third respondent to cancel the non-traceable certificate dated 23.03.2022 and also the sale deed vide document No.816 of 2022 dated 25.03.2022 and another settlement vide document No.817 of 2022 dated 25.03.2022 on the file of the fifth respondent.

For Petitioner : Mr.M.Murugan

For Respondents

For R1 to R3 : Mr.A.Gopinath
Government Advocate (Crl. Side)

For R4 & R5 : Mr.P.Balathandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed for direction to direct the third respondent to cancel the non-traceable certificate dated 23.03.2022 and also the sale deed vide document No.816 of 2022 dated 25.03.2022 and another settlement vide document No.817 of 2022 dated 25.03.2022 on the file of the fifth respondent.

2. The petitioner had paid a sum of Rs.2,00,000/- in favour of the sixth respondent as part of the sale consideration to execute the agreement for sale in favour of the petitioner and the same was registered



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vide document No.2132 of 2014 in respect of the property owned by the sixth respondent. While being so, the sixth respondent approached the third respondent as if the original document was misplaced and obtained non-traceable certificate and also executed the sale deed and settlement deed in favour of the third parties.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. It is seen that the sixth respondent executed agreement of sale in favour of the petitioner in the year 2014. Mere pendency of the agreement for sale is not an impediment for the sixth respondent to execute any other deed of conveyance in respect of the very same property. That apart, on the basis of the non-traceable certificate already the sixth respondent had executed the sale deed and settlement deed in favour of the third party. Further in the writ petition, the documents cannot be cancelled, without let in evidence. The petitioner ought to have approached the civil Court for appropriate relief. Therefore, the writ petition itself is devoid of merits and liable to be dismissed.



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Accordingly, the Writ Petition stands dismissed. There shall

WEB COPY be no order as to costs.

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Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

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To
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1. The District Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Villupuram District.
3. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
4. The District Registrar,
Kallakurichi District.
5. The Registrar,
Sub Registrars Office,
Thiruvennai Nallur,
Kallakurichi District.
6. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J.

rts

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