



WP.No.19601 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 29.05.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

**W.P.No.19601 of 2025
and
WMP No.21952 of 2025**

S. Aruchamy

.. Petitioner

Versus

1. Inspector General Of Registration
Santhome High Road,
Chennai-600 028.

2. The District Registrar,
District Registrar Office,
Coimbatore-641 018.

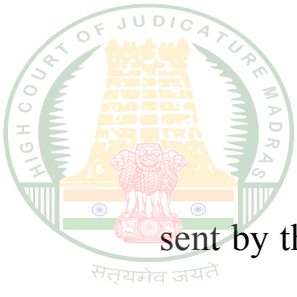
3. The Sub Registrar,
Singanallur Registration Office, Singanallur,
Coimbatore-641 005.

4. M. Ramakrishnan

5. M. Manoharan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to consider the representation dated 18.08.2022



WP.No.19601 of 2025

sent by the petitioner's son named A.Praveen Kumar to cancel the registration of agreement for sale deed No.8711/2008 dated 13.10.2008 and the sale deed registered as Doc. No.10446 of 2016 dated 04.11.2016.

For Petitioner : Mr. C. Deivasigamani

For Respondents : Mr. R. Sasikumar,
Government Advocate for R1 to R3

ORDER

This Writ Petition has been filed to direct the respondent Nos.1 to 3 to cancel the registration of agreement for sale deed no.8711 of 2008 dated 13.10.2008 and the sale deed registered as Doc.No.10446 of 2016 dated 04.11.2016 as sought vide petitioner's son,namely, A.Praveenkumar's representation dated 18.08.2022.

2. The case of the petitioner is that on 10.10.2008, the petitioner had mortgaged his property to the respondents 4 and 5. At that time, signature of the petitioner was obtained by them and subsequently, it was prepared as a sale agreement instead of mortgage deed, without the petitioner's knowledge, taking advantage of the fact that the petitioner is an illiterate. By using the said sale agreement, the respondents 4 and 5 have filed a suit against the petitioner in O.S.No.243 of 2009 on the file of the Principal Subordinate Court, Coimbatore



WP.No.19601 of 2025

and the same was decreed on 30.09.2013. Against which, the petitioner has filed

an appeal with the condone delay petition condoning the delay of 1841 days and the same has been dismissed. Aggrieved over the same, the petitioner has preferred a CRP(NPD)NO.2653 of 2022 and the same has also been dismissed on 17.04.2024. In the meantime, the respondents 4 and 5 have filed an EP No.24 of 2014 before the II Additional Subordinate Court, Coimbatore and the same was allowed and sale deed has been registered on 04.11.2016. As the respondents 4 and 5 had committed fraud by taking advantage of the petitioner's illiteracy, the petitioner's son submitted a representation on behalf of the petitioner to cancel the registered documents. However, no action has been taken so far. Hence, the present Writ Petition.

3. The learned counsel appearing for the petitioner would submit that alterations were made in the sale agreement marked as Ex.A1. Specifically, corrections were effected using whitener, and the blanks were subsequently filled in by hand using a blue pen. However, no application for rectification of the said defect has been filed within the statutory period of three years, as stipulated under Article 113 of the Limitation Act, thereby, the 3rd and 4th respondents have committed fraud upon the 5th respondent. Furthermore, the 1st respondent has violated the provisions of Registration Act by registering the documents. It



WP.No.19601 of 2025

WEB COPY

is further submitted that the representation sent by the petitioner's son in this regard has not been considered by the 2nd respondent. Hence, the petitioner has approached this Court by filing the present writ petition.

4. The learned Government Advocate appearing for the respondents 1 to 3 would submit that the respondents 1 to 3 were acted in accordance with the Judicial Order. In order to harass the respondents, the petitioner has filed the present Writ Petition.

5. This Court have considered the submissions made by the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and perused the materials available on record.

6. In view of the limited prayer in this Writ Petition, without expressing any opinion on merits of the matter, the respondents 1 to 3 are directed to consider the representation of the petitioner's son A. Praveenkumar, dated 18.08.2022 on merits and pass final Orders after issuing notice to all the persons interested within a period of twelve weeks from the date of receipt of a copy of this Order.

7. With the above directions, this Writ Petition is disposed of. No



WP.No.19601 of 2025

costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

29.05.2025

mrp

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

1. Inspector General Of Registration

Santhome High Road,

Chennai-600 028.

2. The District Registrar,

District Registrar Office,

Coimbatore-641 018.

3. The Sub Registrar,

Singanallur Registration Office, Singanallur,

Coimbatore-641 005.



WEB COPY



WP.No.19601 of 2025

T.V.THAMILSELVI, J.

mrp

W.P.No.19601 of 2025

29.05.2025