



W.P.No.23395 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.09.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No23395 of 2021

P.Chellaiyan

..Petitioner

Vs.

1 The Inspector General of Registration
Office of The Inspector General of Registration
100 Santhome High Road Mylapore
Foreshore Estate Chennai
Tamil Nadu - 600 028.

2 The District Registrar
Office of The District Registrar Ariyalur.

3 The Sub Registrar
Office of The Sub Registrar of Perambalur
Kurumbur Perambalur District.

4 Mr. Kuppusamy

5 Mrs. Vasantha

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 29.09.2021 to cancel the agreement dated 17.9.2008 vide doc No. 8686/2008 and



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registered in the office of the 3rd respondent and pass appropriate orders on merits on the representation of the petitioner within a time frame fixed by the Court.

For Petitioner : Mr.G..Ilamurugu
For Respondents 1 to 3 : Mr.U.Baranidharan
Special Government Pleader
For Respondents 4 & 5 : Notice served No appearance.

Order

This Writ Petition is filed seeking for a issuance of a mandamus directing the 2nd respondent to consider the petitioner's representation dated 29.9.2021 made to cancel the agreement dated 17.9.2008 vide doc No. 8686/2008 registered in the office of the 3rd respondent and pass appropriate orders on merits within a time frame fixed by the Court.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the property comprised in S.No.440/4B of Kurumbur (North) Revenue Village, Perambalur Taluk; that respondents 4 and 5, being the petitioner's daughter and son-in-law played a fraud by stating that they wanted to get a loan for their needs and for the purpose of



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getting loan, they required the petitioner to execute a sale agreement in their favour; that the petitioner also entered into a sale agreement with the respondents 4 and 5, which was registered vide Doc.No.8686 of 2008 dated 17.09.2008; that after such execution of the sale agreement, the respondents 4 and 5 have failed to come forward to pay the balance sale consideration and get the sale deed executed in their favour, however, the petitioner apprehending that the continuation of the registration of the sale agreement will affect his rights from further dealing with the property or alienating the property, by way of mortgage/sale/settlement, the petitioner made a representation to the official respondents seeking for cancellation of the sale agreement dated 17.09.2008, and since the said representation is still pending, the petitioner has filed the present Writ Petition seeking for aforesaid prayer.

3. The learned Special Government Pleader for the official respondents would submit that the respondents 1 to 3 have no power to cancel the sale agreement and hence, they are not in a position to consider the petitioner's representation.



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4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader for respondents 1 to 3 and perused the materials placed on record. So far as private respondents, viz., respondents 4 and 5 are concerned, despite service of notice on them and their being printed in the causelist, none appeared on their behalf, which shows that they are not interested to contest the matter. Hence, the respondents 4 and 5 are set ex parte.

5. On perusal of the sale agreement dated 17.09.2008, it is clear that the respondents 4 and 5 have entered into a sale agreement with the petitioner on 17.09.2008, which was registered vide Document bearing No.8686 of 2008 in the Office of the third respondent. The entries made in the Sub Registrar Office, infact, shows that there existed a sale agreement pending between the petitioner and respondents 4 and 5. Therefore, this Court is of the view that existence of the sale agreement will definitely affect the petitioner's right/interest/title over the property to further deal away with the same. Hence, this Court finds substance over the apprehension of the petitioner that the existence of sale agreement will put a



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spoke to the petitioner to further deal with the property. Hence, the petitioner has filed this Writ Petition seeking for a direction to the second respondent to consider the representation of the petitioner dated 29.09.2021 and to cancel the sale agreement dated 17.09.2008.

5.1 However, as rightly pointed out by the learned counsel for the official respondents, viz., respondents 1 to 3 they have no power to cancel the sale agreement.

5.2 Further, this Court is also of the view that, no useful purpose would be achieved in issuing a direction for cancellation of the sale agreement, for the reason that in the terms of the said agreement dated 17.09.2008, the time limit for execution of such agreement was four months, which was already expired. Despite lapse of four months, the respondents 4 and 5 have never come forward to get the sale agreement executed in their favour, nor filed any suit for specific performance of agreement of sale before any Court of law even after expiry of three years from the date of execution of such sale agreement.



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5.3 Therefore, this Court is of the view that the respondents 4 and 5 can have no locus standi to initiate any legal proceedings on the basis of the said sale agreement, as, entire legal action against the sale agreement is barred by limitation. Hence, there is no bar for the petitioner to deal with the schedule of property mentioned in the sale agreement. If at all, the petitioner has apprehension of any misuse of the said sale agreement by the respondents 4 and 5, the petitioner can very well register the order passed by this Court in this Writ Petition in the office of the third respondent to get rid of any future problem.

6. With the above observation, this Writ Petition is disposed of. No costs.

22.09.2025

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Index : yes/no

Neutral Citation : yes/no



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Krishnan Ramasamy,J.,

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