



WEB COPY



W.P.No.24045 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.10.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.24045 of 2024

Kalimuthu

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o Department of Registration,
Santhome Salai,
Chennai.

2.The District Registrar,
O/o District Registrar's Office,
Krishna Theater Backside,
Venkateswara Nagar,
Perambalur,
Perambalur District.

3.The Sub Registrar,
O/o Sub Registrar Office,
Perambalur.

4.Dhanalakshmi

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondents 1 to 3 to



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consider the representation of the petitioner dated 02.08.2024 for cancellation of the Agreement of sale dated 10.03.2014 with document No.1126 of 2014 by removing the name of the fourth respondent in the Encumbrance certificate.

For Petitioner : Mr.R.Srinivasa Rao

For Respondents 1 to 3 : Mr.R.Sasikumar,
Government Advocate

For Respondent 4 : Mr.N.Desinghu

ORDER

The relief sought for in this writ petition is to direct the respondents 1 to 3 to consider the representation of the petitioner dated 02.08.2024 for cancellation of the Agreement of sale dated 10.03.2014 with document No.1126 of 2014 by removing the name of the fourth respondent in the Encumbrance certificate.

2. Learned counsel for the petitioner would submit that the petitioner and fourth respondent entered into a sale agreement on 10.03.2014 in respect of property comprised in S.Nos.280/1, 280/2 and 280/2A4, Kaspia Perambalur Village, Perambalur Taluk. In the said sale



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agreement, it was mentioned that the total sale consideration was fixed at Rs.11,00,000/- and out of the total sale consideration, the fourth respondent has paid a sum of Rs.2,00,000/- as advance and agreed to pay a remaining sum of Rs.9,00,000/- within a period of two years i.e., 10.03.2014 to 09.03.2016. However, the fourth respondent has failed to perform her part of contract for the past 10 years and till date, she has not come forward to pay the remaining sale consideration. Therefore, the petitioner sent a representation dated 02.08.2024 to the respondents 1 to 3, seeking cancellation of sale agreement dated 10.03.2014. However, no order was passed by the respondents, as on date. Hence, the petitioner has come forward with the present writ petition.

3. Learned counsel appearing for the fourth respondent submitted that only due to the fault on the part of the petitioner, the fourth respondent is not in a position to purchase the land. Therefore, she has filed a specific performance suit, which was pending before the Civil Court.



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4. Heard the learned counsel on either side and perused the materials available on record.

5. Since the fourth respondent has approached the Civil Court for specific performance, the Civil Court has to decide the matter. It is made clear that unless and until the Civil Court pass the decree in favour of the petitioner, the petitioner's right, to cancel the sale agreement dated 0.03.2014, will not be crystallized. Such being the case, this Court does not find any merits in this case and this writ petition is liable to be dismissed on devoid of merits.

Accordingly, this writ petition stands dismissed. No costs.

10.10.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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KRISHNAN RAMASAMY.J.,

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