



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 45863 of 2025

1. FRANSISCIA

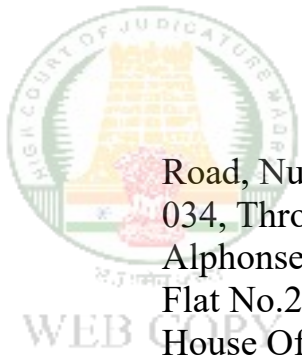
W/o. Innaiya Naidu, Kilachery Village,
Thiruvallur Taluk, Thiruvallur District.
Represented By Their General Power
Agent, M/s. Jay M Jay Trade Links
Private Ltd., Having Registered Office,
No.4, Gee Gee Minor, 23 College
Road, Nungambakkam, Chennai-600
034, Through Its Director Mr. S.J.
Alphonse Presently Functioning From
Flat No.2304, Pinewood A Block,
House Of Hiranandhini, Egattur,
Chennai-600 130

2.Mr. P. Balasamy

S/o. Innaiya Naidu, Kilachery Village,
Thiruvallur Taluk, Thiruvallur District.
Represented By Their General Power
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Chennai-600 130

3.Mr. P. Reymand

S/o. Innaiya Naidu, Kilachery Village,
Thiruvallur Taluk, Thiruvallur District.
Represented By Their General Power
Agent, M/s. Jay M Jay Trade Links
Private Ltd., Having Registered Office,
No.4, Gee Gee Minor, 23 College

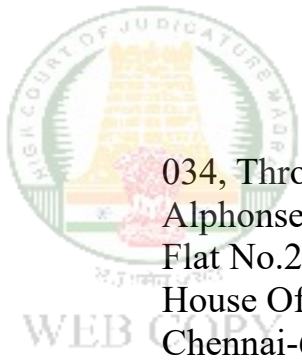


Road, Nungambakkam, Chennai-600
034, Through Its Director Mr. S.J.
Alphonse Presently Functioning From
Flat No.2304, Pinewood A Block,
House Of Hiranandhini, Egattur,
Chennai-600 130

4.Mrs. P. Theresa
D/o. Innaiya Naidu, Kilachery Village,
Thiruvallur Taluk, Thiruvallur District.
Represented By Their General Power
Agent, M/s. Jay M Jay Trade Links
Private Ltd., Having Registered Office,
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034, Through Its Director Mr. S.J.
Alphonse Presently Functioning From
Flat No.2304, Pinewood A Block,
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Chennai-600 130

5.Mrs. Mary Emilda
W/o. Late Mr. P. Ubakar Raj, S/o.
Innaiya Naidu, Kilachery Village,
Thiruvallur Taluk, Thiruvallur District.
Represented By Their General Power
Agent, M/s. Jay M Jay Trade Links
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034, Through Its Director Mr. S.J.
Alphonse Presently Functioning From
Flat No.2304, Pinewood A Block,
House Of Hiranandhini, Egattur,
Chennai-600 130

6.Mrs. Roshini
D/o.Mary Emilda, Kilachery Village,
Thiruvallur Taluk, Thiruvallur District.
Represented By Their General Power
Agent, M/s. Jay M Jay Trade Links
Private Ltd., Having Registered Office,
No.4, Gee Gee Minor, 23 College
Road, Nungambakkam, Chennai-600



034, Through Its Director Mr. S.J. Alphonse Presently Functioning From Flat No.2304, Pinewood A Block, House Of Hiranandhini, Egattur, Chennai-600 130

7.Mr. Rayappa
S/o. Late Mr. Micheal Naidu,
Kilachery Village, Thiruvallur Taluk,
Thiruvallur District. Represented By
Their General Power Agent, M/s. Jay M
Jay Trade Links Private Ltd., Having
Registered Office, No.4, Gee Gee
Minor, 23 College Road,
Nungambakkam, Chennai-600 034,
Through Its Director Mr. S.J. Alphonse
Presently Functioning From Flat
No.2304, Pinewood A Block, House Of
Hiranandhini, Egattur, Chennai-600 130

8.Mr. Dhanraj
S/o. Late Mr. Micheal Naidu,
Kilachery Village, Thiruvallur Taluk,
Thiruvallur District. Represented By
Their General Power Agent, M/s. Jay M
Jay Trade Links Private Ltd., Having
Registered Office, No.4, Gee Gee
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Nungambakkam, Chennai-600 034,
Through Its Director Mr. S.J. Alphonse
Presently Functioning From Flat
No.2304, Pinewood A Block, House Of
Hiranandhini, Egattur, Chennai-600 130

9.Mrs. Mercy
D/o. Late Mr. Micheal Naidu,
Kilachery Village, Thiruvallur Taluk,
Thiruvallur District. Represented By
Their General Power Agent, M/s. Jay M
Jay Trade Links Private Ltd., Having
Registered Office, No.4, Gee Gee
Minor, 23 College Road,
Nungambakkam, Chennai-600 034,
Through Its Director Mr. S.J. Alphonse



Presently Functioning From Flat
No.2304, Pinewood A Block, House Of
Hiranandhini, Egattur, Chennai-600 130

WEB COPY

Petitioner(s)

Vs

1. The Sub Registrar
Perambakkam Sub-registrar S Office,
Perambakkam, Thiruvallur District
-631 402,

2.Mrs. Alphonsa
W/o. J. Alphonse, Christian New No.4
Old No.37, Club Road, Rio Lok
Apartments, Chetpet, Chennai-600
031

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, Directing the first respondent to consider the Sale Cancellation Deed dated 31.10.2025 submitted before the 1st Respondent on 03.11.2025 to cancel Sale Deed dated 03.06.2025 registered as Document No.2233/2025 at the office of the Sub-Registration District of Perambakkam, before the first defendant in respect of the interest of the petitioners Mr. A. Franscsica W/o. Innaiya Naidu, Mr. p. Balasamy S/o. Innaiya Naidu, Mr. P. Reymand S/o. Innaiya Naidu, Mr. P. Theresa D/o. Innaiya Naidu, Mrs. Mary Emilda W/o. Late P. Upakar Raj, S/o. Innaiya Naidu, Mr. Roshini D/o. Mary Emilda, Mr. Rayappa S/o. Late Micheal Naidu, Mr. Dhanraj S/o. Late Micheal Naidu, Mrs. Mercy D/o. Late Micheal Naidu, being the surviving legal heirs, number 1 to 9 and pass orders within a reasonable time fixed by this Honble Court

For Petitioner(s): Mr.M.Ramamoorthy,
for M/s. G.Viswanathan

For Respondent: Mr.U.Baranidharan, SGP for R1



ORDER

This writ petition has been filed to direct the 1st respondent to consider the sale cancellation deed dated 31.10.2025.

2. Mr.U.Baranidharan, learned Special Government Pleader, takes notice on behalf of the 1st respondent.

3. By consent of the parties, the main petition is taken up for disposal at the stage of admission itself.

4. The learned counsel for the petitioner would submit that in this case, initially, the sale deed was executed by the General Power Agent of 12 principals, out of which, 3 principals had passed away. Now, the remaining 9 principals are intended to cancel the sale deed dated 03.06.2025. In this regard, they executed a sale cancellation deed dated 31.10.2025 and presented the same before the respondents for the purpose of registration. However, the respondents had refused to register the same by citing the reason that 3 principals, who gave power had died.

5. Further, he would submit that after the demise of three principals, the petitioners made several attempts to implead their legal heirs. However, they were unable to trace out the legal heirs of the deceased principals and hence, the



remaining 9 principals executed the cancellation deed. Therefore, he requests this Court to direct the 1st respondent to register the said cancellation deed in respect of the interest of remaining 9 principals, who are alive.

6. In reply, the learned Special Government Pleader appearing for the 1st respondent would submit that if the cancellation deed is re-presented, the same will be considered by the respondents in accordance with law.

7. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the 1st respondent and also perused the entire materials available on record.

8. In the case on hand, initially, the sale deed dated 03.06.2025 was executed by the General Power Agent of 12 principals, out of which, three principals had passed away. Now, the remaining 9 principals are intended to cancel the sale deed dated 03.06.2025. In this regard, they executed a sale cancellation deed dated 31.10.2025 and presented the same before the respondents for the purpose of registration. However, the respondents had refused to register the same by citing the reason that 3 principals, who gave power had died.



9. As rightly contended by the petitioner, since the three principals had passed away, the respondent is supposed to have registered the cancellation sale deed in respect of the interest of remaining 9 principals, who are alive. However, without doing so, the respondents had refused to register the cancellation deed vide refusal check slip dated 03.11.2025, which is not proper.

10. In view of the above, this Court directs the petitioners to re-present the sale cancellation deed dated 31.10.2025 before the 1st respondent. In such case, the 1st respondent shall register the same, in respect of the interest of the petitioners, in accordance with law.

11. With the above directions, this writ petition is disposed of. No cost.

28-11-2025

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Sub Registrar
Perambakkam Sub-registrar S Office,
Perambakkam, Thiruvallur District
-631 402,

2. Mrs. Alphonsa
W/o. J. Alphonse, Christian New No.4
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