



W.P.(MD)No.1346 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.01.2025**

CORAM:

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

W.P.(MD)No.1346 of 2025

S. Pushpa

... Petitioner

/Vs./

1. The District Registrar
Registration Department,
Trichy District.

2. The Sub Registrar
Uraiyur,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to delete the entry relating to the sale agreement in Document No. 4154/2007 dated 16.08.2007 on the file of the second respondent with reference to the property situated in Survey No. 135/5 to an extent of 2 acre and 64 cents Survey No. 136/11B1 to an extent of 39.5 cents and in Survey No. 136/11B2 to an extent of 5 cents totally 3 acre and 8.5 cents situated at Nachikuruchi village, Manikandan Panchayat, Srirangam Taluk, Trichy District.



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For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.M.Sarangan

Additional Government Pleader for R1&2

ORDER

This Writ Petition has been filed for a direction, directing the respondents to delete the entry in respect of the sale agreement in document No.4154/2007, dated 16.08.2007, on the file of the second respondent in respect of the property comprised in Survey No. 135/5 to an extent of 2.64 acres and the land in Survey No. 136/11B1 to an extent of 39.5 cents and in Survey No. 136/11B2 to an extent of 5 cents totally 3 acre and 8.5 cents, situated at Nachikuruchi village, Manikandan Panchayat, Srirangam Taluk, Trichy District.

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



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3. The property comprised in Survey No. 135/5 to an extent of 2.64 acres and the land in Survey No. 136/11B1 to an extent of 39.5 cents and in Survey No. 136/11B2 to an extent of 5 cents totally 3 acre and 8.5 cents, situated at Nachikuruchi village, Manikandan Panchayat, Srirangam Taluk, Trichy District, was originally belonged to one Rathinasamy. After several transactions, the property was layout and subdivided into house plots. The plot No.77 to an extent of 2400 sq.ft was purchased by one Krishnasamy by the registered sale deed dated 09.09.1997, registered vide document No.2716/1997. Thereafter, the rectification was also registered vide document No.2901/2000 dated 20.01.2000 changing the plot No. as 77 instead of 59. The said Krishnasamy had executed power of attorney in respect of the said plot in favour of one Vimala Devi, through a registered power deed vide document No.168/2007 dated 26.05.2007. Thereafter, the petitioner had purchased the said house plot by a registered sale deed vide document No.3082/2007 dated 18.06.2007. The said house plot was subdivided as survey No.135/5A1A4 and the petitioner was also issued patta in patta No.1306.



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4. While verifying the encumbrance certificate in respect of the subject property, one Raju had executed a sale agreement in favour of one Prathap, as if the said Raju had title over the entire extent of the property through the Will in the year 1994. The said agreement was registered vide document No.4154/2007 dated 16.08.2007. Therefore, it is an impediment for the petitioner to deal with his house plot. Hence, the petitioner submitted representation to delete the entry of agreement for sale and thereafter, the said agreement was not acted upon so far and also the person, who executed for agreement of sale has no title over the property. However, removal of entry of registered agreement for sale in respect of the subject property cannot be possible and the registering authority has no power to delete any entry in respect of any property.

5. The Hon'ble Division Bench of this Court in the case of *N.Ramayee V. The Sub Registrar* reported in **2020 (6) CTC 697**, held that mere registration of an agreement for sale may not be a bar for the registering authority to register subsequent transactions. Therefore, the registration of agreement for sale is not an impediment for registering



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authority to register any transaction in respect of the very same property.

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

Internet : Yes/No
NCC : Yes / No
LS

21.01.2025

TO:-

1. The District Registrar
Registration Department,
Trichy District.
2. The Sub Registrar
Uraiyur,
Trichy District.



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G.K.ILANTHIRAIYAN, J.

LS

Order made in
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Dated:
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