

W.P(MD)NO.9405 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.9405 of 2024

K.Sathiyamoorthy

... Petitioner

.Vs.

1.The Revenue Divisional Officer,
Kodaikanan,
Dindigul District.

3.The Special Tahsildar,
Kodaikanal,
Dindigul District.

3.The Sub Registrar,
Kodaikanal,
Dindigul District.

4.S.Kasthuri Nayakkar

5.Sobna Ramesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to consider the Petitioner's representation dated 19.7.2023 and pass orders cancelling the sale deed in Document NO.1942 of 2019, on the file of the third



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respondent in view of G.O.Ms.No.2485, dated 9.11.1979 within the time stipulated by this Court.

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For Petitioner : Mr.M.Mohamed Sherbudeen

For Respondents : Mrs.K.Malathi
1 and 2 Addl.Govt. Pleader

For Respondent-3 : Mr.S.Kameswaran
Govt.Advocate

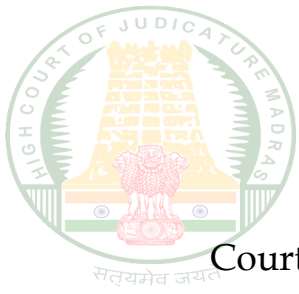
For Respondents : Mr.Y.Prakash
4 and 5

ORDER

The Petitioner herein seeks a direction to the first respondent to consider his representation, dated 19.7.2023 and pass orders for cancelling the sale deed executed by the fourth respondent in favour of fifth respondent.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner is not entitled to maintain the prayer for cancellation of the sale deed before the Writ Court. If the Petitioner wants to attack the sale deed executed by the fourth respondent in favour of the fifth respondent, it is for him to approach the Civil



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Court seeking necessary relief. In this regard, reference may be had to *Satya Pal Anand .vs. State of Madhya Pradesh and others* reported in *MANU/SC/1359/2016 = 2016(10)SCC 767*. Therefore, this Court is not inclined to grant the prayer sought for by the petitioner.

4.A perusal of the representation submitted by the Petitioner, dated 19.7.2023 before the first respondent would indicate that the Petitioner's father, the fourth respondent herein sold the property in favour of fifth respondent violating the assignment conditions.

5.In view of the same, without expressing any opinion on the merits of the case, the first respondent is directed to consider the representation of the Petitioner, dated 19.07.2023 and pass final orders on its own merits after affording reasonable opportunity to the Petitioner and respondents 4 and 5, within a period of 12 weeks from the date of a copy of this order.

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

10.07.2025

NCS : Yes/No

3/5



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Index : Yes / No

Internet : Yes / No

vsn

To

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3.The Special Tahsildar,
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3.The Sub Registrar,
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S.SOUNTHAR.,J.

vsn



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ORDER MADE IN

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