



W.P(MD)No.36747 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2026

CORAM :

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.36747 of 2025

P.Velumani

... Petitioner

vs.

**1. The District Registrar (Admin),
District Registrar Office,
Palani, Dindigul District.**

**2. The Sub Registrar,
Vadamadurai,
Dindigul District.**

3. G.Ponnammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to cancel the registered sale deed dated 08.06.2023 in Document No.3158 by considering the petitioner's written representation dated 11.07.2025.

For Petitioner : Mr.D.Suresh Kumar

For R1 & R2 : Mr.M.Lingadurai

Special Government Pleader

ORDER

The prayer in this writ petition is to issue a Writ of



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Mandamus, to direct the respondents 1 and 2 to cancel the registered sale deed dated 08.06.2023 in Document No.3158 by considering the petitioner's representation dated 11.07.2025.

2. Learned counsel for the petitioner would submit that the property in Survey No.1753/6 measuring an extent of 16.5 cents at Padiyur Village, Vedasanthur Taluk, Dindigul District, is the ancestral property of the petitioner's family. Since there was a dispute between the family members regarding partition, a partition suit in O.S.No. 26/2020 was filed before the Sub Court, Vedasanthur, which is pending. In the said suit, 3rd respondent herein is arrayed as 7th defendant. While so, the petitioner filed I.A.No.157/2020 in the said suit seeking interim injunction restraining the 3rd respondent and other defendants from alienating the suit property to others during the pendency of the suit and the Civil Court also by order dated 22.04.2022 had granted interim injunction as prayed for. While so, contrary to the said interim injunction, the 3rd respondent executed a sale deed dated 08.06.2023 in favour of one Manikandan alienating the suit properties. Hence, the petitioner made a representation dated 11.07.2025 to the respondents 1



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and 2 seeking to cancel the above said sale deed, but till date, no order is passed on the said representation. Hence, this writ petition.

3. The learned Special Government Pleader appearing for the respondents would submit that since Sections 77-A and 68(2) empowering the Registrars to cancel the fraudulently registered documents have been declared as unconstitutional by this Court, the right course available to the petitioner is to approach the civil court. Hence, he would pray for dismissal of the writ petition.

4. Heard both sides and perused the materials available on record.

5. Perusal of the averments made in the present writ petition shows that after the interim injunction granted by the Civil Court in the partition suit, the 3rd respondent is said to have executed the alleged sale deed dated 08.06.2023 which is clearly hit by doctrine of *lis pendens*. Since the alleged sale deed executed during the force of the



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interim injunction granted by the civil court, the petitioner could have very well approached the civil court where the partition suit is pending for cancellation of the sale deed dated 08.06.2023. Further, as rightly contended by the learned Special Government Pleader, since Sections 77-A and 68(2) empowering the Registrars to cancel the fraudulently registered documents have been declared as unconstitutional by this Court, the respondents 1 and 2 have no power to cancel the alleged sale deed dated 08.06.2023 executed by the 3rd respondent. Hence, I do not find any merit in this writ petition.

6. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to work out his remedy in the pending suit. No costs.

05.01.2026

Index : Yes / No
Neutral Citation : Yes / No
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To



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KRISHNAN RAMASAMY, J.

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ORDER MADE IN
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DATED : 05.01.2026