

W.P.No.26313 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.26313 of 2025

M/s.Ganga Cavery Resorts and Agro Forms
Rep by its Partner Mr.Sunil Kumar Patwa
S/o.Bahadurmal Patwa
No.5/10, Tuning Point,
Santhi Complex, Hosur Town and Taluk,
Krishnagiri District – 635 109.

... Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar,
Krishnagiri District – 635 001.

2.The Sub Registrar,
Office of the Sub Registrar,
Denkanikottai, Krishnagiri District – 635 107.

3.S.Jayaprakash

... Respondents



W.P.No.26313 of 2025

WEB COPY

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records in respect of registration of ex-parte decree in O.S.No.244 of 2019 on the file of Principal Subordinate Court, Hosur vide Document No.7936 of 2020 dated 16.12.2020, registered on the file of the 2nd respondent herein and quash the same consequently, direct the 1st and 2nd respondents to remove the entry in respect of ex-parte decree in O.S.No.244 of 2019 on the file of Principal Subordinate Court, Hosur vide Document No.7936 of 2020 dated 16.12.2020, registered on the file of the 2nd respondent herein in encumbrance index note.

For Petitioner	:	Mr.D.Murugan
For Respondents	:	Mr.U.Baranidharan Special Government Pleader for R1 & R2

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking issuance of a writ of

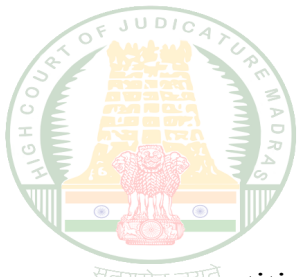


W.P.No.26313 of 2025

WEB COPY

certiorarified mandamus to call for the records in respect of registration of ex-parte decree in O.S.No.244 of 2019 on the file of Principal Subordinate Court, Hosur vide Document No.7936 of 2020 dated 16.12.2020, registered on the file of the 2nd respondent herein and quash the same. Consequently, direct 1st and 2nd respondents to remove the entry in respect of ex-parte decree in O.S.No.244 of 2019 on the file of Principal Subordinate Court, Hosur vide Document No.7936 of 2020 dated 16.12.2020, registered on the file of the 2nd respondent herein in encumbrance index note.

3. The case of petitioner is that petitioner's firm purchased agricultural lands situated in Denkanikottai Taluk, Krishnagiri District in Survey Nos.593/1A, 593/2, 594/2B and 594/2E, by way of a registered sale deed dated 22.11.1995 vide Document No.2835/1995, which was executed by one Julekabee and others. However, prior to this Registered sale deed, on 28.03.1993, petitioner's vendors had executed another sale agreement in respect of the same properties in favour of one V.R.Srinivasan, which was registered on 11.06.1997 as Document No.1207/1997, which is latter to the



W.P.No.26313 of 2025

petitioner's registered sale deed.

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4. It is further stated that after the demise of V.R.Srinivasan in the year 2002, legal heirs of V.R.Srinivasan filed a suit in O.S.No.244 of 2019 before the Principal Subordinate Court, Hosur seeking declaration of title and to declare the sale deed dated 22.11.1995 executed in petitioner's favour as null and void.

5. The said suit was decreed ex-parte on 09.10.2020 in favour of the legal heirs of V.R.Srinivasan and the same was registered as Document No.7936/2020 on 16.12.2020 before Sub-Registrar Office, Denkanikottai. Thereafter, petitioner filed an application to restore the suit in O.S.No.244 of 2019 and Trial Court upon hearing, allowed the restoration application and restored the suit in on 30.09.2024.

6. The learned counsel for the petitioner would submit that they



W.P.No.26313 of 2025

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may be grant leave to file a fresh representation in as much as ex-parte decree in O.S.No.244 of 2019 on the file of Principal Subordinate Court, Hosur.

7. At the outset, it is submitted by the learned Special Government Pleader for respondents 1 and 2 that they will consider the petitioner's representation and pass appropriate orders within a reasonable time, which was agreed to by the learned counsel for petitioner.

8. In view of the same, taking into consideration facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to respondents 1 and 2, to consider the petitioner's representation on its own merits and pass appropriate orders in accordance with law. It is made clear that if any such representation is filed and the same shall be disposed of after affording reasonable opportunity of hearing to the petitioner as well as to the 3rd respondent and any other interested parties/rival claimants, within a period of 16 weeks from the date



W.P.No.26313 of 2025

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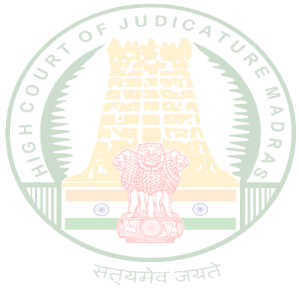
of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law. No costs.

22.07.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
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To

- 1.The District Registrar,
Office of the District Registrar,
Krishnagiri District – 635 001.
- 2.The Sub Registrar,
Office of the Sub Registrar,
Denkanikottai, Krishnagiri District – 635 107.



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W.P.No.26313 of 2025

MOHAMMED SHAFFIQ, J.

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W.P.No.26313 of 2025

22.07.2025