



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 5003 of 2026

R.Munusamy @ Mali
S/o. R.Ravi,
No.3, Vinayaga School Street,
Koyambedu
Chennai 102

..Petitioner(s)

Vs

1. The District Registrar
office of the District registrar,
Chennai North,
Chennai 104
2. The Sub Registrar
Office of the Sub Registrar ,
Purasaiwalkam Taluk,
Chennai 03
3. The Tahsildar
Purasaiwalkam Taluk,
Chennai 03
4. Kaleemullah,
S/o. Mr.Abdul Azeez, No.227, Corporation Lane,
Pogipalaiyam New Lane, Pattalam, Perambur
Barracks, Chennai - 600012.



5. A.Rizwan Ullah,

S/o. Mr.Abdul Azeez, No.7, 2nd Floor, S1,
Thandavarayan Street, Purasawakkam, Chennai -
600007.

(R4, R5 Impleaded Vide Order Dated 23.06.2026
Made In WMP.11295/2026 in WP.5003/2026 by
KRJ)

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Mandamus directing the 2nd respondent to cancel the sale deed registered as Document No. 1817 of 2025 dated 3.04.2025 on the file of the 2nd respondent based on the petitioners representations dated 25.11.2025 and 21.12.2025.

For Petitioner(s): Mr.M.Dharani

For Respondent(s): Mr.Dominic S.David

Government Counsel for R1 to R3

Mr. D. Senthil Kumar for R4 and R4

ORDER

The present Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing the 2nd respondent to cancel the sale deed registered as Document No. 1817 of 2025 dated 3.04.2025 on the file of the 2nd respondent based on the petitioner's representations dated 25.11.2025 and 21.12.2025.



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2. According to the petitioner, the land in Town Survey No. 1517, Ward No. 1, Purasaiwalkam Taluk, Chennai, belongs to the Arulmigu Aadhi Solaiamman Temple and was illegally registered in favour of third parties. The petitioner submitted representations dated 25.11.2025 and 21.12.2025 to the 2nd respondent seeking the cancellation of the said registration. However, the same have not been considered till date. Challenging this inaction, the present Writ Petition has been filed.

3. In reply, the learned Government Counsel appearing for the official respondents submitted that the validity of Sections 77A and 68(2) of the Registration Act, 1908, was struck down by a Hon'ble Division Bench of this Court vide order dated 02.08.2024 passed in W.P. No. 10291 of 2022. Consequently, the official respondents have no power to cancel any document registered with them in the absence of an order obtained from a competent court of law. He further submitted that the only recourse currently available to the petitioner is to file a suit before the concerned Civil Court for the cancellation of the aforesaid sale deed. Thus, he prayed for the dismissal of this petition.



4. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

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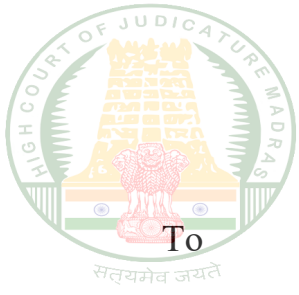
5. As rightly contended by the respondent, the validity of Section 77A and 68(2) of the Registration Act, 1908, was struck down by the Hon'ble Division Bench of this Court vide order dated 02.08.2024 in W.P.No.10291 of 2022. In such case, the respondents will not have any power to cancel the document registered with them.

6. When such being the case, as rightly contended by the respondents, the only recourse available to the petitioner is to approach an appropriate Civil Court either for cancellation of aforesaid sale deed or to declare the same as “null and void”. The present petition cannot be entertained by this Court.

7. Therefore, this Writ Petition is dismissed. The petitioner is granted liberty to file a suit, for cancellation of sale deed, before the appropriate Civil Court. There shall be no order as to costs.

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KRISHNAN RAMASAMY, J.

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