

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.9.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.33000 of 2016

R.V.Mahesh

... Petitioner

Vs

1. The Sub-Registrar, Komangalam,
Udumalpet Taluk,
Udumalpet.

2. Mr.Dinesh
Arjun Amaravathi Chit Pvt.Ltd.,

... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to cancel the fake sale deed registered in doc.No.1030/2006 dated 20.7.2006 in respect of the petitioner's property on considering the petitioner's representation dated 22.8.2016.

For Petitioner : Mr.S.Saravanan

For Respondent-1 : Mr.A.N.Thambidurai,
Special Government Pleader

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice for the first respondent. Heard both. In view of the limited nature of the relief to be granted, the writ petition itself is taken up for final disposal without ordering notice to the second respondent.

2. The petitioner applied to the first respondent for cancellation of a document bearing doc.No.1030 of 2006 dated 20.7.2006. According to the petitioner, it is a fake document. Since it did not evoke any response, the petitioner is before this Court.

3. As rightly pointed out by the learned Special Government Pleader accepting notice for the first respondent, the Competent Authority to consider such a plea will be the District Registrar and the Sub-Registrar cannot cancel a document. That apart, the learned Special Government Pleader has referred to the averments made in the police complaint and states that there appears to be some chit transaction.

4. In any event, if the petitioner's grievance is that the document is a fake document, he has to work out his remedies either before the competent Civil Court or before the District Registrar by invoking his powers under Circular No.67.

5. With the above liberty, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rs

To

The Sub-Registrar,
Komangalam,
Udumalpet Taluk,
Udumalpet.

+1cc to Mr.S.Saravanan, Advocate, S.R.No.53683
+1cc to the Government Pleader, S.R.No.54242

W.P.No.33000 of 2016

SKV(CO)
CA(03/10/2016)

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