



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.5248 of 2018

A.Rethinasamy

... Petitioner

-Vs-

1.The District Registrar, (Administration),
District Registrar's Office,
Tiruchirappalli-620 001.

2.The Sub Registrar,
K.Sathanur Sub Registrar's Office,
K.K.Nagar, Tiruchirappalli-620 021.

... Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent herein to consider petitioner's representation dated 06.09.2016 to cancel the fabricated document created by Varadharaj, Krishnambal and Balasubramaniyan registered as document No.308/2004, No.382/2005 and No.383/2005 in the office of the Sub Registrar, K.Sathanur K.K.Nagar, Tiruchirappalli.

For Petitioner	: Mr.C.Selvaraj
For Respondents	: Mr.Aayiram K.Selvakumar, Additional Government Pleader.

ORDER

This writ petition has been filed, seeking a direction to the first respondent to cancel the fabricated documents created in respect of the property in Survey No.166/1 situated at K.K.Nagar, Tiruchirappalli.

2.According to the petitioner, he is the owner of the property in Survey No.166/1. Without his knowledge, some third parties created a forged power of attorney, and based on the same, they sold the property. In the above circumstances, the petitioner lodged a criminal complaint against them, and the case was registered in Crime No.1 of 2015 under Sections 120(b), 420, 427, 455, 468, 471 and 506(2) of IPC. Subsequently, some civil suits have been filed, which are also pending. In the mean time, the petitioner sent a representation to the first respondent to cancel the above alleged documents created by some third parties. Since no action has been taken, the present writ petition has been filed.



3.The petitioner sent a representation seeking for cancellation of power of attorney and also the sale deed executed by some third parties. But, the first respondent has no power to cancel any document as already registered, and circular earlier issued by the Registration Department is also withdrawn. In the above circumstances, the petitioner cannot sought for any direction to the first respondent to cancel the sale deed. Hence I find no merits in this writ petition. Accordingly, this writ petition is dismissed. No costs.

Sd/
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1.The District Registrar, (Administration),
District Registrar's Office,
Tiruchirappalli-620 001.

2.The Sub Registrar,
K.Sathanur Sub Registrar's Office,
K.K.Nagar, Tiruchirappalli-620 021.

+1cc to Mr.C.Selvaraj, Advocate, SR.No.56611

+1cc to M/s.Special Government Pleader, SR.No. 56692

W.P (MD) No.5248 of 2018
20.03.2018

MYR

KK/KKR/09.04.2018/SAR-2/2P-5C