



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 8143 of 2019

WEB COPY

Maruthai

... Petitioner

Vs.

1. The District Registrar (Administration),
District Registrar Office, Trichy.

2. The Sub-Registrar,
Kattuputhur Sub-Registrar Office,
Kattuputhur, Trichy District.

3. The Inspector of Police,
Kattuputhur Police Station,
Kattuputhur, Trichy District.

4. Sadaiyan

5. Veeraiya

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to cancel the Settlement Deed dated 12.02.2019 in Document No.283 of 2019 as obtained by fraud and consider the petitioner's representation dated 21.03.2019.

For Petitioner

: Mr.K.Arunraj

For R-1 to R-3

: Mr.M.Murugan,

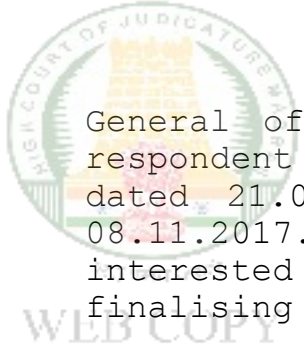
Government Advocate.

O R D E R

Heard the learned counsel appearing for the Writ petitioner and the learned Government Advocate appearing for respondents 1 to 3.

2. The prayer made in this Writ petition cannot be granted. The petitioner seeks cancellation of the petition mentioned settlement deed. It has been held by the Hon'ble Supreme Court in the decision reported in (2016) 10 SCC 767 (Satya Pal Anand V. State of M.P. and others) that it is only the civil Court that can grant the relief of cancellation of the registration of a document. Therefore, the petitioner will have to necessarily move the jurisdictional civil Court for getting the relief now sought for.

3. However, the learned counsel appearing for the Writ petitioner states that the petition mentioned registration is a fraudulent one and that he has given a representation complaining about the same. He will be satisfied if the enquiry is conducted in terms of the circular dated 08.11.2017 issued by the Inspector



General of Registration. Therefore, this Court directs the first respondent to hold an enquiry on the petitioner's representation dated 21.03.2019 in terms of the letter No.41530/U1/2017 dated 08.11.2017. The first respondent shall of course put all the interested persons on notice while conducting the enquiry and finalising the same.

4. With this direction, the Writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Registrar (Administration),
District Registrar Office, Trichy.
2. The Sub-Registrar,
Kattuputhur Sub-Registrar Office, Kattuputhur, Trichy District.
3. The Inspector of Police,
Kattuputhur Police Station, Kattuputhur, Trichy District.

+1cc to M/s.Special Government Pleader, SR.No. 599946

W.P.(MD)No.8143 of 2019
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pmu

KK/SAR/26.04.2019/ 2P- 5C

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