



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.14914 of 2018

and

W.M.P. (MD) No.13459 of 2018

S.Vellathai

... Petitioner

Vs

- 1.The Inspector General of Registration,
Santhom High Road,
Chennai.
- 2.The District Registrar (Administration)
Office of the District Registrar Office,
Palayamkottai,
Tirunelveli District,
Tirunelveli.
- 3.The Sub Registrar,
Office of the Sub Registrar,
Kayathar,
Tuticorin District.

4.Veluchamy

5.Ponnuthai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus call for the records pertaining to the impugned order passed by the second respondent in Na.No.401/A3/2018 dated 21.05.2018 and quash the same and consequently direct the respondents 1 to 3 to cancel the transfer deed registered in the third respondent office in document No.4202/2014 dated 24.10.2014 by the fourth respondent.

For Petitioner

: Mr.PR.Boomee Rajan

For R1 to R3

: Mr.M.Murugan,
Government Advocate

ORDER

The prayer sought for by the writ petitioner cannot be granted in writ proceedings. As laid down by the Hon'ble Supreme Court in the decision reported in **2016 10 SCC 767** in the case of **Satya Pal Anand vs State of M.P. and others**, the Civil Court alone is the authority competent to cancel the registration of a document.

2. Therefore granting liberty to the petitioner to move the jurisdictional Civil Court, this writ petition is dismissed.

3. It is made clear that this Court has not gone into the merits of the matter. The petitioner's rights are left intact. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

pnn

To

1. The Inspector General of Registration,
Santhom High Road,
Chennai.
2. The District Registrar (Administration)
Office of the District Registrar Office,
Palayamkottai,
Tirunelveli District,
Tirunelveli.
3. The Sub Registrar,
Office of the Sub Registrar,
Kayathar,
Tuticorin District.

1CC TO MR. P.R. BOOMIRAJAN, ADVOCATE SR 58754
1CC TO THE SPL GOVT PLEADER SR 59239

DS

23/04/2019

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<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No. 14914 of 2018

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