



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

WEB COPY

**W.P. (MD) No.11710 of 2016**

**and**

**W.M.P (MD) .Nos.8988 and 8989 of 2016**

1.Thirupathi

2.Velu

... Petitioners

Vs

1.The District Registrar,  
Madurai South,  
Department of Registration,  
Madurai.

2.Rajith Beevi

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari Mandamus, to call for the records pertaining to proceedings of the first respondent reference Na.Ka.No.7222/AA2/2015 dated 06.05.2016 and quash the same and consequently direct the first respondent to delete the entries reflect the aforesaid document from the "A" register maintained by the first respondent herein.

For Petitioner: Mr.T.Amjadkhan

For R1 : Mr.M.Murugan  
Government Advocate

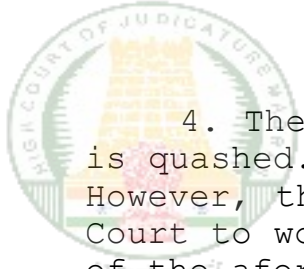
For R2 : Mrs.Lakshmi Gopinathan  
for Polax Legal Solution

### **ORDER**

Heard the learned counsel on either side.

2. The first respondent by the impugned order has cancelled the registration of sale deed dated 06.02.2013 (Document No.2525/2013) on the file of the Joint Force Sub Registrar, Madurai.

3. The learned counsel appearing for the writ petitioner contends that the Registering Authority cannot cancel the registration and that the competent authority would only be the civil Court. The Hon'ble Supreme Court in the decision reported in **(2016) 10 SCC 767 (Satyapal Anand Vs State of Madhya Pradesh and others)** has laid down the rule in this regard. The case on hand is squarely covered by the same.



4. Therefore, the impugned order passed by the first respondent is quashed. The consequential entries will also have to be deleted. However, the second respondent is granted liberty to move the Civil Court to work out her rights as she is aggrieved by the registration of the aforesaid document.

5. With this liberty to the second respondent to move the Civil Court, the Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AS)

/ True Copy /

Sub Assistant Registrar (CS)

rmk

To

The District Registrar,  
Madurai South,  
Department of Registration,  
Madurai.

+1 CC to M/s.SPL GP ( SR-56576[F] dated 26/03/2019 )

+1 CC to M/s.N.ANANTHAPADMANABAN, Advocate  
( SR-56379[F] dated 25/03/2019 )

W.P. (MD) No.11710 of 2016  
22.03.2019

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ES/SP/26.04.2019/2P/4C