

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.16484 of 2016

Muniyamma

...Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road, Chennai - 28.
2. The Additional Inspector General of Registration,
Salem District.
3. The District Registrar,
Krishnagiri District.
4. The Sub Registrar,
Hosur Sub Registration Office,
Rayakottai,
Krishnagiri District.

...Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 3rd respondent to consider the petitioner's representation dated 26.03.2016 and dispose of the same in accordance with law and the Circular No.67 dated 03.01.2011 in C.No.52338/C1/2011 for cancellation of fraudulent transfer made in respect of land to an extent of 1.83.5 hectare in Survey No.869, Uddanapalli, Village, Hosur Taluk and Krishnagiri District within a time frame.

For Petitioner	: Mr.V.Sakkarapani
For Respondents	: Mr.P.P.Purushothaman, Government Advocate

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 26.03.2016 and dispose of the same in accordance with law and the Circular No.67 dated 03.01.2011 for cancellation of fraudulent transfer made in respect of land to an extent of 1.83.5 hectare in Survey No.869, Uddanapalli, Village, Hosur Taluk and Krishnagiri District within a time frame.

2.Mr.P.P.Purushothaman, learned Government Advocate appearing for the respondents submitted that the Circular No.67 dated 03.01.2011 has already been withdrawn by the Government of Tamil Nadu in the year 2018 and therefore, the prayer sought for in the Writ Petition cannot be granted.

3.Since the Government had already withdrawn the Circular No.67 dated 03.01.2011 in the year 2018 itself, the 3rd respondent has no jurisdiction to cancel a registered document. In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to work out her remedy before a Competent Civil Court seeking for cancellation of the registered document executed in favour of one Ramesh Bagrecha. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector General of Registration,
100, Santhome High Road, Chennai - 28.
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+1 cc to the Government Pleader, Advocate Sr.No. 30491

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rv(25/9/2020)