

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.3339 of 2018

1. P.P. Sundaramoorthy
2. S. Geetha

..Petitioners

v.

1. The Inspector General of Registrar,
Santhome High Road,
R.A. Puram, Chennai - 600 028.
2. The District Registrar,
Office of the District Registrar,
Central Chennai,
Chennai - 600 014.
3. The Deputy Commissioner of Police,
Central Crime Branch,
Veperi,
Chennai - 600 014.
4. Mr. D. Hemakumar
5. Tmt. S. Kalaivani
6. Mr. Ashok P. Jain
7. Tmt. T. Usha Rani

..Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 & 2 to cancel the illegal registration done in Doc. No.2052/2012, dated 20.06.2011 for Plot Nos. 5, 11, 12 and Doc. No.1300 of 2008, dated 23.4.2008 and Doc. No.4622 of 2012, dated 12.12.2012 for Plot No. 11 pursuant to the same being declared as fraudulent and wrong by the 3rd respondent in letter dated 31.01.2015 within a stipulated time limit.

For Petitioners : Mr. D. John Samuvel
For Respondents : Mr. B.Kannan
Government Advocate - R1 & R2
Ms A. Madhumathi,
Special Gov. Pleader - R3
Mr. J. Milton Arul Rajendran - R7
No Appearance - R4
Not Ready in Notice - R5 & R6

O R D E R

The petitioners have filed the above Writ Petition to issue a Writ of Mandamus directing the respondents 1 & 2 to cancel the illegal registration done in Doc. No.2052/2012, dated 20.06.2011 in respect of Plot Nos. 5, 11, 12 and Doc. No.1300 of 2008, dated 23.4.2008 and Doc. No.4622 of 2012, dated 12.12.202 in respect of Plot No. 11, within a time frame.

2. It is settled position that once the document is registered by the Sub Registrar, the remedy open to the petitioners to cancel the registered document is only before the competent Civil Court. The Registering Authority has no power to cancel the registered document. In such view of the matter, the prayer sought for in the Writ Petition cannot be granted. Accordingly, the Writ petition is dismissed No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector General of Registrar,
Santhome High Road,
R.A. Puram, Chennai - 600 028.
2. The District Registrar,
Office of the District Registrar,
Central Chennai,
Chennai - 600 014.
3. The Deputy Commissioner of Police,
Central Crime Branch,
Veperi,
Chennai - 600 014.

+1cc to the Government Pleader in Sr.33526

W.P.No.3339 of 2018 and
M.P.No.1 of 2013

VSN-II (CO)
RV(05/11/2020)