

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.26770 of 2013

and M.P.No.1 of 2013

- 1.D.Raji (Died)
- 2.Kuttachiammal
- 3.Manickam
- 4.Chinnapaiyan
- 5.Chinnakulandai
- 6.Silambarasan
- 7.Vediyammal
- 8.Anandhi
- 9.Aswini

... Petitioners

(R6 to 9 impleaded vide order dated 15.07.2020 made in
W.M.P.No.5381 of 2020)

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.
- 2.The District Registrar,
Office of District Registrar,
Krishnagiri District, Krishnagiri.
- 3.The Sub Registrar,
Office of the Sub Registrar,
Pochampalli, Krishnagiri District.

- 4.E.Madhavan

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of certiorarified mandamus to call for the records relating to the order of the 3rd respondent dated 31.07.2013 in Objection Letter Nos.20 and 21 of 2013 to quash the same consequently direct the 3rd respondent to annul the Sale Deed dated 30.11.2007 registered as Document No.2584 of 2007 as well as the Lease Deed dated 06.01.2010 registered as Document No.21 of 2010.

For Petitioners : Mr.K.Balaji

For Respondents : Mr.P.P.Purushothaman,
Government Advocate (R1 to R3)

O R D E R

The petitioners have filed the above Writ Petition to issue a writ of certiorarified mandamus to call for the records relating to the order of the 3rd respondent dated 31.07.2013 in Objection Letter Nos.20 and 21 of 2013 to quash the same and consequently direct the 3rd respondent to annul the Sale Deed dated 30.11.2007 registered as Document No.2584 of 2007 as well as the Lease Deed dated 06.01.2010 registered as Document No.21 of 2010.

2.The contention of the petitioners is that by virtue of Circular No.67 dated 03.11.2011, the District Registrar viz., the 2nd respondent has got powers to cancel or annul the Sale Deed dated 30.11.2007 as well as the Lease Deed dated 06.01.2010. However, Mr.P.P.Purushothaman, learned Government Advocate appearing for the respondents 1 to 3 submitted that the Government had already withdrawn the Circular No.67 dated 03.11.2011 as early as in the year 2017 itself and therefore, the respondents 1 to 3 have no powers to annul the Sale Deed and the Lease Deed. The 3rd respondent, by the impugned order dated 31.07.2013, rejected the objection raised by the petitioners and proceeded to register the documents. After the registration of the documents, when the petitioners are disputing the title in respect of the property in question, the remedy open to the petitioners is to file a Civil Suit and the respondents 1 to 3 have no powers to annul the Sale Deed and the Lease Deed, more so, when the Circular No.67 dated 03.11.2011 has been withdrawn by the State Government. In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

va

To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.

2.The District Registrar,
Office of District Registrar,
Krishnagiri District, Krishnagiri.

3.The Sub Registrar,
Office of the Sub Registrar,
Pochampalli, Krishnagiri District.

+1cc to Mr.K.Balaji, Advocate SR.No.24788

+1cc to Government Pleader SR.No.24771

W.P.No.26770 of 2013
and M.P.No.1 of 2013

VG II(CO)
GMY(07/08/2020)



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