

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.21044 of 2016

G.Ram Kumar

... Petitioner

Vs.

1.The District Registrar,
Chennai North Registration District,
George Town,
Chennai - 600 001.

2.The Sub Registrar,
Sembium,
Chennai - 600 011.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondents to enquire and cancel the fraudulent Settlement Deed in Doc.No.2384 of 2002 on the file of the 2nd respondent dated 04.04.2002 and the Sale Deed in Doc.No.4964 of 2008 on the file of the 2nd respondent dated 25.06.2008 which were set up in the said road property belonging to the Chennai Corporation in T.S.No.19/15 in S.No.24/3, Kodungaiyur Village, Block No.7, admeasuring 1500 sq.ft.

For Petitioner : Mr.C.K.M.Appaji

For Respondents: Mr.B.Kannan,
Government Advocate

WEB COPY
O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to enquire and cancel the fraudulent Settlement Deed dated 04.04.2002 registered on the file of the 2nd respondent and the Sale Deed dated 25.06.2008 which were set up in the said road property belonging to the Chennai Corporation in T.S.No.19/15 in S.No.24/3, Kodungaiyur Village, Block No.7 to an extent of 1500 sq.ft.

2.Since the petitioner is seeking for cancellation of the registered documents, the remedy open to the petitioner is only to go before a Civil Court and the District Registrar has no power to cancel a registered document.

3.Mr.B.Kannan, learned Government Advocate appearing for the respondents also submitted that the remedy open to the petitioner is only to file a Civil Suit and the respondents cannot cancel the registered documents.

4.Having regard to the submissions made by the learned counsel on either side, since the respondents have no power to cancel the registered documents, 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 his remedy before a competent Civil Court seeking for cancellation of the documents. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

va

To

1.The District Registrar,
Chennai North Registration District,
George Town,
Chennai - 600 001.

2.The Sub Registrar,
Sembium,
Chennai - 600 011.

+1cc to the Government Pleader Sr.30520

W.P.No.21044 of 2016

mg[co]
srg 12/10/2020