

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No. 9691 of 2020

M.Munisekar

...Petitioner

Vs

- 1.The District Registrar,
O/o the Kancheepuram District Registrar,
Thandavaraya Nagar, Kancheepuram - 631 601.
- 2.The Sub-Registrar,
O/o the Thiruvallur Sub-Registrar,
Thiruthani Taluk,
Tiruvallur District - 631 210.

3.Sanjeevi

4.Krishnayya

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of mandamus, directing the 1st and 2nd respondents to cancel the forged Document No.597/1989 dated 23.05.1989 and document No.957 of 1994 dated 18.04.1994 registered at the 2nd respondent's office based on the petitioner's representation dated 20.03.2020.

For petitioner : Mr.D.Ashok Kumar

For respondents : Mr.T.M.Pappiah

Special Government Pleader

for R1 & R2

ORDER

This writ petition has been filed for a direction to the second respondent to cancel the sale deed dated 18.04.1994 based on the representation given by the petitioner on 23.03.2020.

2. This Court does not want to go into the various allegations made in the affidavit filed in support of the writ petition, since the relief claimed by the writ petitioner is unsustainable. The Hon'ble Supreme Court of India in the Judgment of Satya Pal Anand vs. State of M.P. and others reported in 2016 10 SCC page 767, has categorically held that a Registrar does not have the powers to recall or cancel the

registered document and the parties will have to only work out their remedy before the concerned Civil Court. Following this judgment, the Registration Department has also issued a circular making it clear that no application should be entertained for cancellation of any registered document.

3. In view of the above, the relief claimed by the writ petitioner cannot be granted by this Court. If the petitioner is aggrieved by the registered document executed in favour of the third and fourth respondents, he has to work out his remedy in accordance with law before the Competent Civil Court.

4. In view of the above, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

Pns

To

1.The District Registrar,
O/o the Kancheepuram District Registrar,
Thandavaraya Nagar, Kancheepuram - 631 601.

2.The Sub-Registrar,
O/o the Thiruvalangadu Sub-Registrar,
Thiruthani Taluk,
Tiruvallur District - 631 210.

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A.SK(09/09/2020)

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