

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.14689 of 2020

P.Duraisamy

...Petitioner

..Vs..

1.The Inspector General of Registration,
100, Santhome High Road,
Pattinappakkam,
Chennai - 600 028.

2.The Sub-Registrar,
O/o.The SRO,
Velagoundampatti,
Namakkal -637 212.

3.P.Kuppusamy

4.P.M.Subramniam

....Respondents

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents in particularly the 2nd respondent to cancel the registration and mentioned in the petitioner representation dated 14.03.2020.

For Petitioner : Mr.G.Anbalagan

For Respondents: Mr.T.M.Pappaiah
Special Government Pleader
for R1 & R2

ORDER

This Writ Petition has been filed for issue of Writ of Mandamus directing the second respondent to cancel the registration by considering the representation made by the petitioner on 14.03.2020.

2. The case of the petitioner is that the subject property belongs to the family of his son-in-law and there was a promise

to allot one share in favour of the grand daughter. Since the same was not complied with, a suit came to be filed in O.S.No.175 of 2017, claiming for relief of partition and separate possession. The suit was dismissed by judgment and decree dated 05.06.2018.

3. The grievance of the petitioner is that the third and fourth respondents are taking hasty steps to dispose of the property. The property seems to have been sold in favour of the third respondent by a registered sale deed dated 04.09.2019. The petitioner made a representation dated 14.03.2020 to the second respondent, requesting for cancellation of registration of the document. Since, the same was not considered, the present Writ Petition has been filed before this Court.

4. Heard, G.Anbalagan, the learned counsel for petitioner and Mr.T.M.Pappiah, Special Government Pleader appearing on behalf of respondents 1 and 2.

5. In the considered view of this Court, the relief sought for by the petitioner is totally unsustainable. Even the suit that was filed in O.S.No.175 of 2017 was dismissed by a judgment and decree dated 05.06.2018. That apart, the second respondent does not have any power or authority to cancel the registration of document. If the petitioner is aggrieved by the execution of any document, the same has to be challenged in the manner known to law before the competent civil Court. The petitioner cannot try to achieve the same by merely sending the representation to the second respondent. No useful purpose will be served in directing the second respondent to consider the representation made by the petitioner since, the second respondent is not vested with the power of canceling the registration of any document.

6. In the result, this Writ Petition is dismissed. No Costs.

सत्यमेव जयते
Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

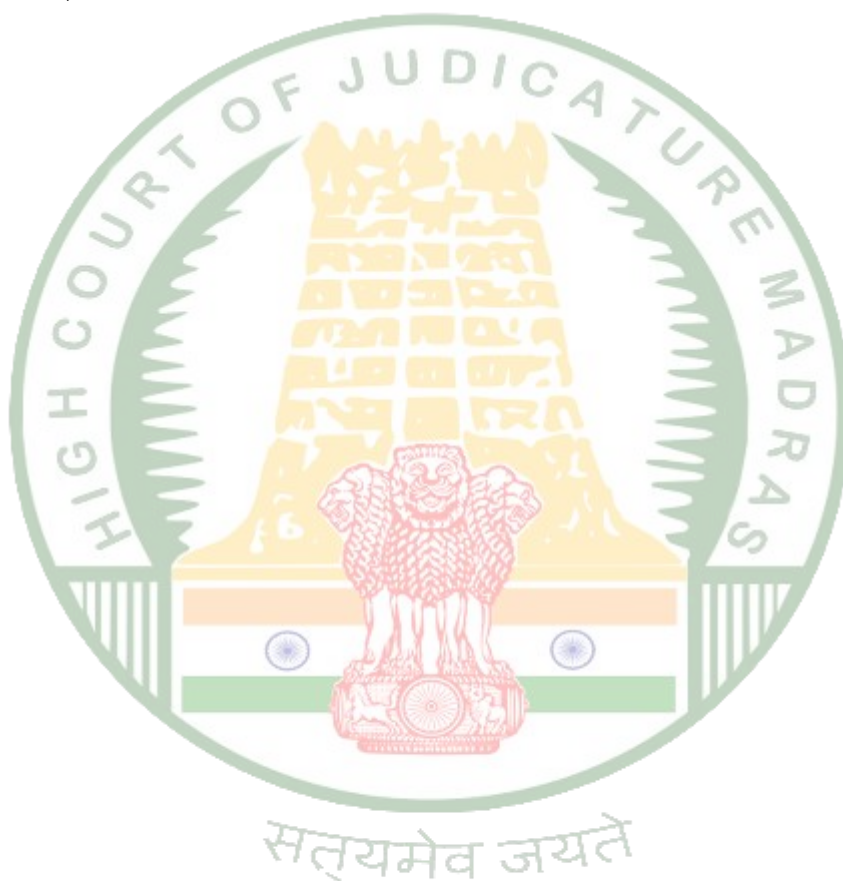
1. The Inspector General of Registration,
100, Santhome High Road,
Pattinappakkam,
Chennai - 600 028.

2.The Sub-Registrar,
O/o.The SRO,
Velagoundampatti,
Namakkal -637 212.

+1cc to M/s.G.Anbalagan, Advocate in SR.NO..34057

W.P.No.14689 of 2020

VSN-II (CO)
RV (04/12/2020)



WEB COPY