

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.38926 of 2016

K.G.Selvaranga Mudaliyar

... Petitioner

Vs.

1.The Inspector General of Registration,
Tamil Nadu Registration Department,
Santhome High Road,
Chennai - 600 004.

2.The Sub Registrar,
Sub Registration Office of Ponneri,
Ponneri, Thiruvallur District.

3.P.Chellappan

4.S.Kumar

5.Jayanthi

6.Krishna Reddy

7.K.Sudhakar

8.K.Baskar

9.D.Nalini

10.Mahendrakumar Gupta

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 1st respondent to complete the enquiry within a time frame and pass orders in the Appeal dated 30.09.2016 of the petitioner presented under the Tamil Nadu Registration Act in accordance with law.

For Petitioner : Mr.N.Ramesh

For Respondents : Mr.P.P.Purushothaman,
Government Advocate (R1 & R2)

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 1st respondent to complete the enquiry within a time frame and pass orders in the Appeal dated 30.09.2016 presented under the Tamil Nadu Registration Act in accordance with law.

2.The learned counsel appearing for the petitioner submitted that the petitioner has given a representation to the 1st respondent on 30.09.2016 seeking for cancellation of two Sale Deeds registered as Document Nos.9456 of 2014 and 4683 of 2004 on the file of the 2nd respondent.

3.At the time of giving the representation to the 1st respondent, Circular No.67 dated 03.11.2011 issued by the Government was in force. As per Circular No.67, the District Registrar was given power to cancel a fraudulent registered document. Subsequently, the Government had withdrawn Circular No.67 on 08.11.2017. At present, Circular No.67 is not in existence. That apart, neither the 1st respondent nor the 2nd respondent has jurisdiction to cancel any registered document. The remedy open to the petitioner is only to file a Civil Suit seeking for cancellation of 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.

-s/d-

Assistant Registrar(CS)

True Copy

Sub-Assistant Registrar

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To

1.The Inspector General of Registration,
Tamil Nadu Registration Department,
Santhome High Road,
Chennai - 600 004.

2.The Sub Registrar,
Sub Registration Office of Ponneri,
Ponneri, Thiruvallur District.

+1 CC to Government Pleader, Advocate Sr.No.39081

W.P.No.38926 of 2016

GJ(CO)
KP(19/12/2020)



04.12.2020

सत्यमेव जयते

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