

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.17661 of 2020

A.M.R.Durai

..Petitioner

Vs

1. The Inspector General of Registration,
Santhome, Chennai -28.
2. The District Registrar,
Integrated Building of Registration Office,
Ariyalur District.
3. The Sub Registrar,
Sub Registrar Office,
Virudachalam Road,
Andimadam, Ariyalur District.
4. The Tahsildar, Udayarpalayam
Ariyalur District.
5. The Tahsildar,
Andimadam, Ariyalur District.
6. Mrs.Kayalvizhi,
7. S. Ramarathinam
8. Aarputha Mary
9. Revenue Divisional Officer,
Udayarpalayam,
Ariyalur District.
- 10.Village Administrative Officer,
Villanthai (North) Village,
Andimadam, Ariyalur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to conduct proper investigation in accordance with the law in force and cancel the forged and fabricated documents registered before the 3rd respondent vide Doc.No.2839/2016, Doc.No.2840/2016, Doc.No.2841/2016 and Doc.No.2842/2016 dated 31.10.2016 and Doc.No.3879/2018 and 3880/2018 dated 24.12.2018 and Doc.No.1595/2020 dated 8.7.2020 and dispose within a stipulated time.

For petitioner : Mr.A. Anusuya

For Respondents: Mr. T.M.Pappia, SGP for
R1 to R3

Mr.Manigopi, Govt.Advocate-R4 & R5

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the 2nd respondent to conduct an investigation based on the representation made by the petitioner and to cancel certain documents on the ground that those are forged and fabricated documents.

2. Heard Ms.Anusuya, learned counsel appearing for petitioner and Mr.T.M.Pappiah, learned Special Govt. Pleader appearing for the respondents 1 to 3 and Mr.K.Parameswaran, learned counsel appearing for the respondents 4 and 5.

3. A careful perusal of the entire materials that has been placed before this court shows that there is a serious dispute with regard to the right over the subject property between the petitioner and respondents 6 to 8. The petitioner is seeking for cancellation of certain documents that were executed in the year 2016, 2018 and 2020. In the considered view of this Court, the respondents do not have the power or jurisdiction to cancel a registered document. The law on this issue is now well settled. If the petitioner is aggrieved by the execution of the documents and if the petitioner feels that those documents are fraudulent documents, it is always left open to the petitioner to approach the competent Civil Court and seek for an appropriate declaration. The respondents 1 to 3 cannot perform the job of a Civil Court and therefore no useful purpose will be served by directing the respondents to consider the representation made by the petitioner. Except giving this liberty, no further orders can be passed in this writ petition.

4. This Writ Petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

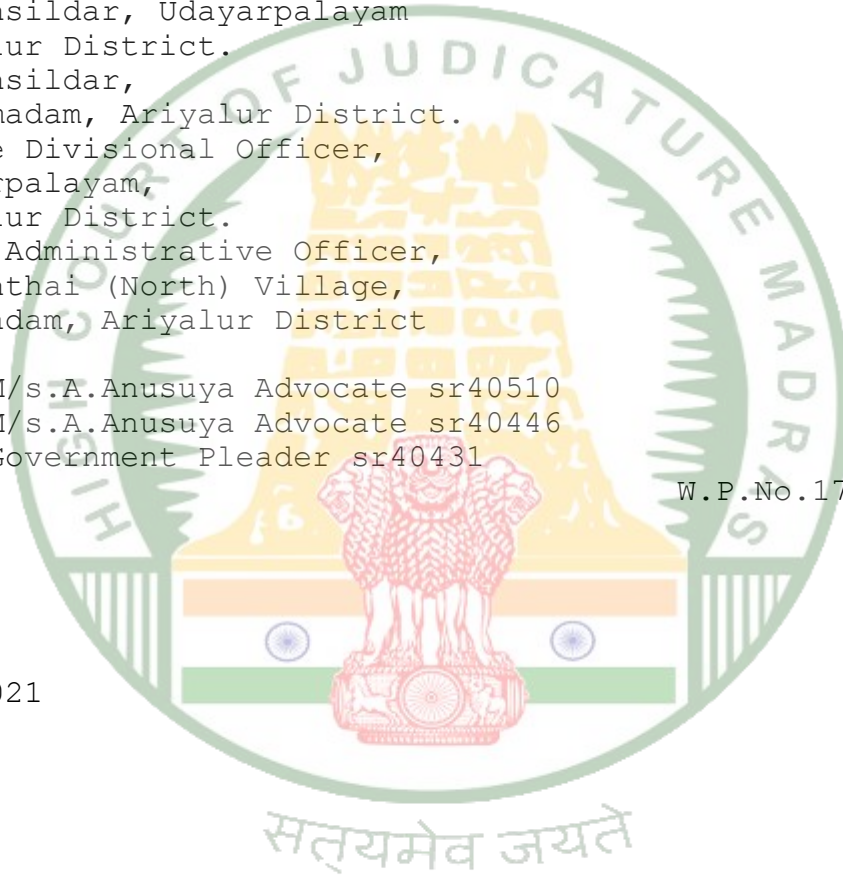
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- 7.Village Administrative Officer,
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+1 cc to M/s.A.Anusuya Advocate sr40510
+1 cc to M/s.A.Anusuya Advocate sr40446
+1 cc to Government Pleader sr40431

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sra(co)

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