

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.18471 of 2020

S.Dhanasekaran

...Petitioner

Vs.

The District Registrar,
Office of the District Registrar,
Chennai South,
Guindy Industrial Estate,
Guindy, Chennai-32.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 22.10.2020.

For Petitioner : Mr.Arun.G.
For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent to consider the representation made by the petitioner on 22.10.2020 wherein the petitioner has requested the respondent to conduct an enquiry and thereafter, cancel the release deed registered as document No.5174 of 2014.

2. Heard Mr. Arun.G, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of respondent.

3. In the considered view of this Court, even though there is a prima facie case made out by the petitioner questioning the release deed dated 02.04.2014 registered as document No.5174 of 2014, the forum that was chosen by the petitioner was wrong. The respondent does not have any power or jurisdiction to cancel any registered documents. The law of this issue is well settled. If at all the petitioner is aggrieved by the execution of the release deed, the petitioner has to necessarily approach a competent Civil Court and seek for the relief of declaration.

4. In view of the above, this Court does not find any ground to give a direction to the respondent to consider the representation made by the petitioner and liberty is granted to the petitioner to work out his remedy before the competent Civil Court in accordance with law, if so advised.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

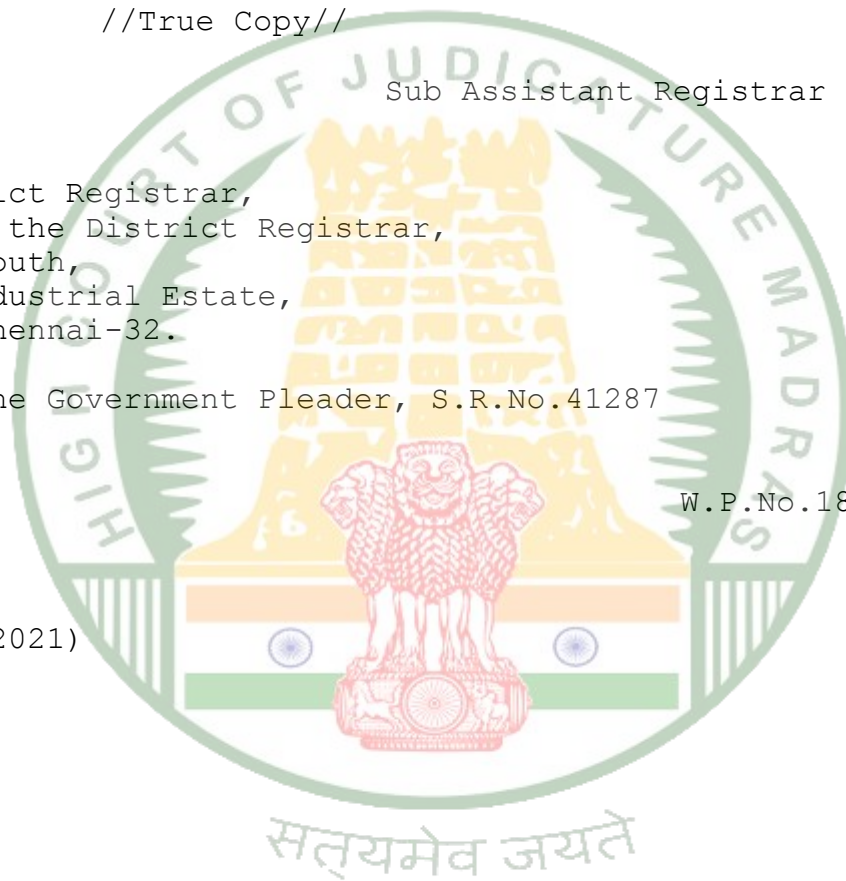
To

The District Registrar,
Office of the District Registrar,
Chennai South,
Guindy Industrial Estate,
Guindy, Chennai-32.

+1cc to the Government Pleader, S.R.No.41287

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