



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD).No.2664 of 2020

R.K.Selvaraj

.. Petitioner

Vs.

1.The Inspector General of Registration,
Santhome, Chennai.

2.The District Registrar of Madurai District,
Combined Registration Office Complex,
Thirumohur Road, Othakkadai,
Madurai - 625 107.

3.The Sub-Registrar,
Vadipatti Sub-Registration Office,
Madurai District.

4.Tmt.Poonkodi

5.Manikandan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of declaration, declaring the illegal registered sale deed Document No.580 of 1967, dated 25.05.1967 on the file of the 3rd respondent office as null and void.

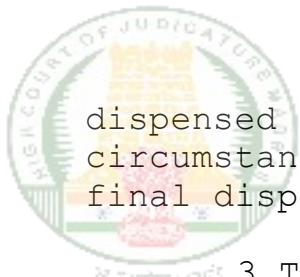
For Petitioner : Mr.D.Ghandiraj

For Respondents : Mr.V.Anand for R1 to R3
Government Advocate

ORDER

This writ petition is filed for issuance of Writ of declaration, declaring the illegal registered sale deed Document No.580 of 1967, dated 25.05.1967 on the file of the 3rd respondent office as null and void.

2.Mr.V.Anand, learned Government Advocate takes notice for respondents 1 to 3. Notice to the respondents 4 and 5 is



dispensed with at this stage. Considering the facts and circumstances of this case, this writ petition is taken up for final disposal at the admission stage itself.

3. Though the petitioner has stated that he is the owner of the land, it is seen that the dispute is relating to title. If the document is fraudulently registered, the petitioner can ignore the same. It is not for this Court to declare that the transaction null and void. The petition is filed by the person who is not a party to the document. When the registered document is not binding on the petitioner, there is no need for the petitioner to seek such prayer before this Court. The petitioner seeks the relief against the individuals to declare the transaction between two parties as illegal. The relief is directed against the individuals who cannot be termed as State within the meaning of Article 12 of the Constitution of India. Even otherwise, this Court cannot exercise a jurisdiction of Civil Court.

4. Hence, this writ petition is dismissed as not maintainable. It is open to the petitioner to file a Civil Suit for appropriate relief, if he wish. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To

1. The Inspector General of Registration, Santhome, Chennai.

2. The District Registrar of Madurai District,
Combined Registration Office Complex,
Thirumohur Road, Othakkadai, Madurai - 625 107.

3. The Sub-Registrar,
Vadipatti Sub-Registration Office, Madurai District.

+1 CC to M/s.SPL.GP (SR-6115[F] dated 13/02/2020)

+1 CC to M/s.D.GANDHIRAJ, Advocate (SR-6165[F] dated 13/02/2020)

W.P. (MD).No.2664 of 2020

12.02.2020

SVN(CO)

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