



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.11.2020**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN**

**W.P (MD) No.14561 of 2020**

WEB COPY

M.Kaluvayi

... Petitioner

Vs.

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

2.The District Registrar,  
District Registrar Office,  
No.171, Palace Road,  
Madurai-001.

3.The Joint Sub Registrar No.1,  
Madurai-South Sub Registrar Office,  
No.171, Palace Road,  
Madurai-001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to remove the existing document remarks pertaining to re-survey Nos.166,166/12 and 166/12A at Thanakankulam Village, Madurai South Taluk, Madurai by considering the petitioner's representation dated 03.10.2020.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondents : Mr.M.Murugan

Government Advocate

### ORDER

This Writ Petition has been filed for issuance of a direction to the respondents to remove the existing document remarks pertaining to re-survey Nos.166, 166/12 and 166/12A at Thanakankulam Village, Madurai South Taluk, Madurai by considering the petitioner's representation dated 03.10.2020.

2. When the matter is taken up for hearing, it is represented by the learned counsel for the petitioner that based on the Circular No.67 dated 03.11.2011 issued by the Inspector General of Registration, Chennai, conferring powers to District Registrars to remove registered documents on grounds of fraud and



impersonation, the order in Mu.Mu.No.4051/A2/2015 dated 18.12.2015 has been passed by the District Registrar. He further submitted that thereafter, the said Circular was withdrawn by the Government.

3. It is represented by Mr.M.Murugan, learned Government Advocate that since the said Circular No.67 dated 03.11.2011 has been withdrawn, he has no objection to grant the prayer sought for by the petitioner.

4. Heard Mr.P.Samuel Gunasingh, learned counsel appearing for the petitioner as well as Mr.M.Murugan, learned Government Advocate appearing for the respondents.

5. Considering the submissions made, this Court directs the authorities concerned to remove the existing document remarks pertaining to re-survey Nos.166, 166/12 and 166/12A at Thanakankulam Village, Madurai South Taluk, Madurai made at Serial No.16 of the Encumbrance Certificate to enable the petitioner to proceed further with her property. It is needless to mention that if there is any subsequent circular with regard to the fraudulent entry that can be endorsed, such has got to be duly entered.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

To

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

2.The District Registrar,  
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Madurai-001.



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Madurai-South Sub Registrar Office,  
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+1 cc to The Special Government Pleader Sr.No.21785

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**06.11.2020**

KM (04.01.2021) 3P 5C