



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD).No.15436 of 2015

1.S.PL.Arunachalam Chettiar
2.K.Yegammai
3.S.Muthu Verappan
4.K.Mangalam
5.M.Valliammai

.. Petitioners

Vs.

1.The Inspector General of Registration,
Department of Registrations,
Chennai - 28.

2.The District Registrar,
Registration Department,
Pudukottai,
Pudukottai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondent to dispose of petitioner's petition, dated 14.07.2015 as per Circular No.67, dated 03.11.2011 (C.No.52338/C1/2011).

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

This writ petition is filed for issuing a writ of mandamus, directing the respondent to dispose of petitioner's petition, dated 14.07.2015 as per Circular No.67, dated 03.11.2011 (C.No.52338/C1/2011).

2.The petitioner states that several items of properties mentioned in the petition in various survey numbers belonged to the petitioners and that their title is also confirmed by judgment in civil suit. It is further stated that in respect of the property shown by the petitioners, several documents have been registered and that the petitioners came to know that some land grabbers created



forged documents and executed several sale transactions.

3. Stating that the transactions are in violation of Section 82 of the Registration Act and Section 467 of I.P.C., the petitioners have submitted a representation to cancel the forged sale deeds by relying upon Circular 67, dated 03.11.2011. It is admitted before this Court that the said Circular 67, dated 03.11.2011, is already withdrawn.

4. This Court and Honourable Supreme Court had occasion to deal with the scope of power of Sub Registrar to cancel the registration of a document. It has been held that the Sub Registrar or District Registrar has no power to cancel the registration of any document under the provisions of Registration Act. In such circumstances, this writ petition cannot be entertained.

5. Hence, this writ petition is dismissed. However, the petitioners are given liberty to approach the civil court for appropriate relief. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To

1. The Inspector General of Registration,
Department of Registrations,
Chennai - 28.

2. The District Registrar,
Registration Department,
Pudukottai,
Pudukottai District.

+1 CC to M/s. RIGHT LAW ASSOCIATES, Advocate (SR-2791[F] dated 24/01/2020)

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_KK/SAR/06.02.2020/2P-4C/