



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2020

C O R A M

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THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.(MD)No.7501 of 2015

and

M.P.(MD)No.1 of 2015

Minor Yogaraj,
rep by his mother and natural guardian
Mrs.Kamatchi

... Petitioner

Vs.

1.The Inspector General of Registration,
Santome High Road, Mylapore,
Chennai-600 004.

2.The District Registrar,
Tiruchirappalli District,
Tiruchirappalli.

3.The Sub Registrar, Thuraiyur,
Tiruchirappalli District.

4.Palaniammal

5.Vadivel

6.Satheesh

7.Chandra

8.Devika

9.Prabhu

10.Subramanian

...Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the Respondents 1 to 3 herein to cancel the registration of sale deeds dated 16.10.2008 in document No.7054/2008; and dated 08.12.2008 documents no.8121/2008 and 8122/2008 registered on the file of the Third Respondent as void and fraudulent documents and also direct the respondents to initiate the immediate enquiry and pass appropriate orders in accordance with Sections 82 to 84 of the Indian Registration Act and relevant Rules, Government Orders and Circulars of Indian Registration Act and Tamil Nadu on considering the Petitioner's representation / complaint dated 23.07.2014.



For Petitioner : Mr.S.Ramesh
For Respondents 1 to 3 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
For Respondents 9 &10 : Mr.R.Sundar Srinivasan

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ORDER

When the matter was taken up for hearing through video conferencing, it is pointed out by Mr. J.Gunaseelan Muthiah, Learned Additional Government Pleader, appearing for the First to Third Respondents, that it has been ruled by the Hon'ble Supreme Court of India in **Satya Pal Anand -vs- State of Madhya Pradesh** [(2016) 10 SCC 767] that once a document has been registered, the Registering Authority cannot cancel the registration even if his attention is invited to some irregularity committed during the registration of the document, and that the remedy for the aggrieved party is only to challenge the registration and validity of the document in a suit invoking Section 31 of the Specific Relief Act, 1963, before the jurisdictional Civil Court.

2. It is brought to notice by the Learned Counsel for the Petitioner in this regard that the Petitioner has already filed a suit in O.S. No. 315 of 2011 before the Sub Court, Tiruchirappalli in respect of the same relief, which is pending, and seeks permission of this Court to withdraw this Writ Petition with liberty to the Petitioner to work out his rights in that suit. He has further informed that he would send a confirmatory e-mail to the Registrar (Judicial) of this Court to that effect, which shall be placed on record.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. The Court, where the aforesaid suit is pending, shall expedite its disposal by ensuring that there is atleast one effective hearing every week showing progress of the case. It is made clear that no view has been expressed by this Court on the correctness or entitlement on the merits of the claim made by the Petitioner. Consequently connected Miscellaneous Petition is closed. No costs.

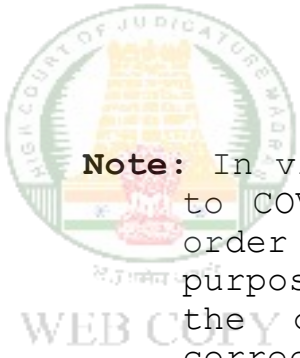
Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Inspector General of Registration,
Santome High Road, Mylapore,
Chennai-600 004.

2.The District Registrar,
Tiruchirappalli District,
Tiruchirappalli.

3.The Sub Registrar,
Thuraiyur,
Tiruchirappalli District.

+1 CC to M/s.R.SUNDAR SRINIVASAN, Advocate (SR-13035[F] dated 03/06/2020)

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-13061[F] dated 03/06/2020)

+1 CC to M/s.SPL GP (SR-13089[F] dated 04/06/2020)

W.P. (MD) No.7501 of 2015
01.06.2020

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