



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.7165 OF 2016

K.Palani

... Petitioner

.Vs.

1. The Sub-Registrar,
O/o.Sub-Registrar,
Uthukottai,
Thiruvallur District - 602 026.

2. K.Manickaraj

... Respondents

PRAYER:-

Writ Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, directing the 1st respondent to dispose petitioner representation dated 14.09.2015 and consequently directing the 1st respondent to cancel the sale deed executed by the 2nd respondent in favour of 3rd parties for the property situated in No.51, Kakavakkam Village, Uthukottai Taluk, Thiruvallur District.

For Petitioner : Mr.D.Bharathy

For Respondents : Mr.V.Nanmaran
Government Advocate [For R1]

Mr.A.Satheesh [For R2]

O R D E R

The relief sought for in the present writ petition is for a direction, to direct the 1st respondent to dispose of the petitioner representation dated 14.09.2015 and to direct the 1st respondent to cancel the sale deed executed by the 2nd respondent in favour of 3rd parties for the property situated in No.51, Kakavakkam Village, Uthukottai Taluk, Thiruvallur District.



2. Perusal of the representation submitted by the petitioner on 14.09.2015 reveals that there is a dispute in respect of the Registration of a document. The petitioner seeks cancellation of such Registration. To cancel the registration made before the Registering authorities, an adjudication is required. A registration is to be cancelled, if it is found to be fraudulent only after conducting enquiry/adjudication. Such an adjudication is to be conducted by the competent authority of the Registration Department, in view of the recent amendment made in the Registration Act. In the Registration Act, the District Registrar is empowered to conduct an enquiry and take appropriate decision for cancellation of a document registered. In this regard, an amendment has been effected in Section 77-A and 77-B of the Registration Act.

3. In view of the recent amendment made, the petitioner is at liberty to approach the competent authorities of the Registration Department for the purpose of redressal of his grievances in the manner known to law.

4. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub-Registrar,
O/o.Sub-Registrar,
Uthukottai,
Thiruvallur District - 602 026.

+1cc to the Government Pleader, S.R.No.47834

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PL(CO)
PBS/13/10/2021