



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8782 of 2021

Mukkaiah

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakam,
Chennai - 600 028.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The District Registration Officer,
District Registration Office,
Palayamkottai,
Tirunelveli District.

4.The Sub-Registrar,
Sub-Registrar Office,
Murappanadu Post,
Thoothukudi District.

5.Dinakaran

6.Venkatraman

7.Rameela

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to cancel the deed document in our partitioned hereditary property vide Document Nos.780/1986, dated 06.03.1986, 782/1986, dated 06.03.1986 and 1052/1995, datd 09.06.1995, having a joint patta in Patta No.71 at Parpakulam Village, Murapanadu Sub Division, Palayamkottai, Tirunelveli District and appropriate action taken to the 5th respondent is acting with the intention of expropriating out hereditary property based on the representation made to 2nd and 4th respondents through registered post on 18.01.2021, within the time limit that may be stipulated by this Court.



For Petitioner : Mr.M.Pandian
For Respondents : Mr.K.Sathiya Singh
Additional Government Pleader

WEB COPY

ORDER

This writ petition has been filed for the issuance of writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 18.01.2021, wherein, the petitioner has sought for the cancellation of various documents executed in the year 1986 - 1995.

2.Heard Mr.M.Pandian, learned counsel for the petitioner and Mr.K.Sathiya Singh, learned Additional Government Pleader for the respondents.

3.On a careful consideration of the submissions made by the learned counsel for the petitioner and after going through the averments made in the affidavit, it is found that there is a dispute among the parties, which can be resolved only before a Competent Civil Court. The official respondents do not have the power or jurisdiction to cancel any registered documents and this issue is now well settled. Therefore, no useful purpose will be served in directing the respondents to consider the representation, since they cannot act on the representation and cancel the documents.

4.In view of the above, liberty is given to the petitioner to workout his remedy before the competent Civil Court and redress his grievance, in the manner known to law. Except giving this liberty, no further orders can be passed in this writ petition.

5.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

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.



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+1 CC to M/s.AGP (SR-18253[F] dated 30/04/2021)

W.P. (MD) .No.8782 of 2021
29.04.2021

AS (09.06.2021) 3P 6C