



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD) No.19724 of 2021

WEB COPY

C.Pandiyammal

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakam,
Chennai - 28.

2.The District Registration Officer,
Madurai North District Registration Office,
Rajagambeeram,
Y.Othakadai,
Madurai - 107.

3.The Sub-Registrar Officer
Madurai North Sub-Registrar Office
Rajagambeeram,
Y. Othakadai,
Madurai - 107.

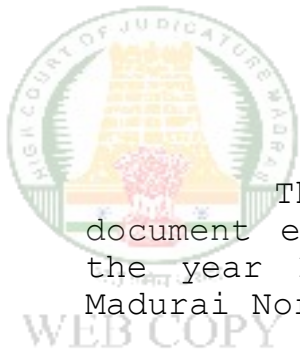
4.Murugan

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the sale deeds document in petitioner property vide Document No.290/98 dated 20.02.1998 at Madurai North Sub-Registrar Office, Thirupavanam Taluk, Sivagangai District and appropriate action taken to the fifth respondent is acting with the intention of expropriating our hereditary property based on the representation made to 2nd and 3rd respondent through registered post on 05.10.2021 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Pandian

For Respondents : Mr.D.Gandhi Raj - RR1 to 3
(1 to 3) Special Government Pleader



O R D E R

The writ petition has been filed seeking cancellation of a document executed by the petitioner herein, which was executed in the year 1998 and registered as Document No.290 of 1998 in the Madurai North Sub Registrar Office, Thirupavanam Taluk.

2.The petitioner had apparently obtained loan from the fourth respondent and as security thereof had executed a particular document. It is the claim of the petitioner that the entire loan has been repaid back to the fourth respondent. But the fourth respondent has not come forward to execute a cancellation deed of the said document registered. Therefore, the petitioner seeks the intervention of the respondents 1 to 3 to cancel the said document. Respondents 1 to 3 cannot cancel the said document unless there is an specific order of competent court to do so.

3. This position is also affirmed by Mr.D.Gandhi Raj, learned Special Government Pleader, who has taken notice on behalf of the respondents 1 to 3. The proper procedure for the petitioner is to approach the Civil Court seeking appropriate relief as against the fourth respondent and seek the Court to give a direction to the concerned Registrar Office to cancel the same, the document already registered.

4.Giving that liberty to the petitioner, the writ petition is dismissed. The petitioner can avail the benefit under Section 14 of the Limitation Act, for the pendency of the present writ petition, if at all the issue of limitation is put up against the petitioner in filing the civil suit. No costs.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rm

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,
No.100, Santhome High Road,
Pattinampakam,
Chennai - 28.

2.The District Registration Officer,
Madurai North District Registration Office,
Rajagambeeram,
Y.Othakadai,
Madurai - 107.

3.The Sub-Registrar Officer
Madurai North Sub-Registrar Office
Rajagambeeram,
Y. Othakadai,
Madurai - 107.

+1 CC to M/s.SPL.GP (SR-34101[F] dated 11/11/2021)

W.P(MD)No.19724 of 2021

09.11.2021

PK(CO)

TR(14.12.2021) 3P 5C