



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.14198 of 2014

(Through Video Conferencing)

Gomathiammal

... Petitioner

Vs.

1.The Inspector General of Registration
Department of Registration
Santhome, Chennai.

2.The District Registrar,
Virudhunagar District
Virudhunagar

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct 2nd respondent to dispose the petitioner's representation dated 30.01.2014 by considering the 1st respondent's circular in No.67 dated 03.11.2011 (C.No.52338/C1/2011) and cancel the sale deed executed before the Sub Registrar, Srivilliputhur, in Document No.8299/2011 dated 02.11.2011 within the stipulated period fixed by this Court.

For Petitioner : Mr.S.M.Anantha Murugan

For Respondents : Mr.K.Sathiya Singh

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the second respondent to consider the representation made by the petitioner on 30.01.2014, wherein the petitioner is seeking for cancellation of the sale deed registered as Document No.8293/2011 by relying upon Circular No.67 dated 03.11.2011.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents.

3. In the considered view of this Court, the relief sought for by the petitioner cannot be granted by this Court, since the Circular No.67 dated 03.11.2011 has been subsequently recalled by the Inspector General of Registration, pursuant to the judgment of



the Hon'ble Supreme Court. Cancellation of any registered document can be done only before the competent civil Court and the respondents did not have such power.

4. In view of the above, liberty is granted to the petitioner to work out her remedy before the competent civil Court, if so advised.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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
Department of Registration
Santhome, Chennai.

2.The District Registrar,
Virudhunagar District, Virudhunagar

+1 CC to M/s.AGP (SR-16242[F] dated 17/04/2021)

W.P. (MD)No.14198 of 2014

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RK (30.04.2021) 2P 4C