



WEB COPY



W.P.No.36811 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.36811 of 2016

R.Jayakumar

.. Petitioner

Versus

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

2.The District Registrar (A.I.G.Cadre)
Chennai (North)
No.1, Murthigal Lane,
Chennai – 600 001

3.R.Selvaraj
4.S.Santhan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first and second respondents to dispose of his representation dated 02.06.2016 and 15-07-2016.

For Petitioner : Mr.K.Bijai Sundar

For Respondents : Mr.G.Krishnaraja for R1 and R2
Additional Government Pleader
R3 & R4 – Tapal returned



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ORDER

This writ petition has been filed seeking to direct the respondents 1 and 2 to dispose of the representation dated 02.06.2016 and 15-07-2016.

2. The learned counsel for the petitioner submitted that the petitioner made representations on 02.06.2016 and 15-07-2016 to the official respondents seeking to cancel the illegal settlement deed executed in favour of the fourth respondents in terms of Circular No. 67 dated 03.11.2011, which is pending without consideration and seeks this Court for allowing this writ petition.

3. Per contra, the learned Additional Government Pleader submitted that the Circular No. 67 dated 03.11.2011 itself was subsequently withdrawn on 20.10.2017 by the Government and the official respondents have no powers to act upon the above circular. Hence, seeks for dismissal of this writ petition.

4. Heard both sides and perused the materials placed on record.



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5. Admittedly the facts of the present case are not in dispute. Since,

Circular No. 67 dated 03.11.2011 itself was subsequently withdrawn on 20.10.2017 by the Government and the representation by the petitioner seeking cancellation of the subject settlement deed in terms of above circular cannot be acted upon. Even otherwise, the official respondents have no powers to cancel or issue directions to cancel the registration of any documents.

6. Accordingly, this writ petition stands dismissed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law.

No costs.

03.11.2022

Index : Yes / No

Internet : Yes / No

Speaking Order/Non-Speaking Order
dhk

To

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



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M.DHANDAPANI, J.

dhk

2.The District Registrar (A.I.G.Cadre)
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