



W.P.No.9877 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.9877 of 2016

and

W.M.P.No.22559 of 2016

1. Chandralekha Kuppurajan
2. Kandakumar
3. Shanmughavalli Vijayachander
4. Shanmughapriya Anandraj
5. B.Padmavathy
6. Chandru
7. Lakshmi Priya
8. B.Narendran
9. Devaki
- 10.Chandru
- 11.Suresh



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12. Rajalakshmi

13. Sundari Arumugam

14. Kasthuri Meganathan

15. Krishnakumar Manickam

16. Menaka Shanmugasm

17. Shankari Prakasam

18. Ramkumar Prakasam

19. Parvathy Rajasekaran

20. Shanthi Hari

21. Anuradha Balu

22. S.Jayakumar

23. S.Gunasekaran

. . . Petitioners

Vs.

1. The Inspector General of Police,
No.100, Santhome High Road,
Chennai-600 028.
2. The District Registrar (South),
Office of the Registration Department,
2nd Floor, Jeenis Road, Saidapet, Chennai- 600 015.
3. The Sub Registrar, Padappai
No.2/606, Illagi Nagar,



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Padappai Main Road, Padappai, Chennai-601 301.

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4. The Sub-Registrar,
Mylapore.
5. The Sub-Registrar,
Pallavaram
6. Inspector of Police,
Central Crime Branch,
Chennai Suburban Police,
Chennai-600 016.
7. The Inspector of Police,
Perungalathur, Chennai
8. The Collector,
Kancheepuram
9. The District Revenue Officer,
Kancheepuram
10. The Revenue Divisional Officer,
Kancheepuram
11. The Tahsildar
Kancheepuram
12. The Deputy Tahsildar
Tamabaram Taluk, Kancheepuram District.
13. G.Gengusamy
14. Nirmala



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15. Aravind Srinivasan

16. R.Delhibabu

17. M.Narayanasamy

18.Kuberayogeswaran

19.V.Mahendran

20.Mr.Somasundaram

21.Kasthuri Ganapathy

22. Gowri

23.Ramkumar

24. Devishree Nandakumar

25. Kanchana Ponnusamy

26. Prema Selvaraj

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents 3 to 5 to cancel the following documents duly registered before them: i) Alleged Sale Deed dated 31.12.2004 vide Doc.No.151/2005, DRO, Padappai, the 3rd Respondent herein ii) Alleged Sale Deed dated 04.10.2006 vide Doc.No.6059/2006, SRO, Padappai, the 3rd Respondent herein. iii) Alleged Sale Deed dated 18.05.2007 vide Doc.No.3867/2007, SRO, Padappai, the 3rd Respondent



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herein. iv) Alleged Sale Deed dated 24.08.2007 vide Doc.No.6183/2007, SRO, Padappai, the 3rd Respondent herein. v) Alleged Sale Deed dated 24.08.2007 vide Doc.No.6184/2007, SRO, Padappai, the 3rd Respondent herein. vi) Alleged Sale Deed dated 20.01.2005 vide Doc.No.52/IV/2005, SRO, Padappai, the 4th Respondent herein. vii) Alleged Sale Deed dated 29.03.2006 vide Doc.No.648/IV/2006, SRO, Padappai, the 5th Respondent herein and consequently delete the entries in the records maintained by them, based on the petitioners' complaint dated 15.12.2014 vide Ref.No.17/413/A1/4 in view of the Circular No.67 dated 03.11.2011.

For Petitioner : Mr.M.Arun Kumar for
M/s.Sampathkumar and Associates.

For Respondents : Mr. Yogesh Kannadasan,
Special Government Pleader for R1 to R12
: M/s. S.S.Madhavan for R15
: M/s. Paul & Paul for R16
: Mr. B. Kalyanasundaram for R17
: Mr.P.Suresh Babu for R20, R22, R23 & R24
: Mr.K.A.Mariappa for R21

ORDER

The present petition has been filed seeking a direction to respondents 1 to 5 to cancel the following documents duly registered before them: i) Alleged



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Sale Deed dated 31.12.2004 ii) Alleged Sale Deed dated 04.10.2006 iii)

Alleged Sale Deed dated 18.05.2007 iv) Alleged Sale Deed dated

24.08.2007 v) Alleged Sale Deed dated 24.08.2007 vi) Alleged Sale Deed

dated 20.01.2005 vii) Alleged Sale Deed dated 29.03.2006 registered in

favour of the private respondents and a direction to delete the entries made in

the records on the file of the respondents, in view of the Circular No.67 dated

03.11.2011, based on the complaint dated 15.12.2014 made by the

petitioners.

2. When the matter is taken up for hearing, learned counsel for the petitioners submitted that, though the present petition has been filed, seeking to cancel the aforesaid documents on the basis of Circular No.67 dated 03.11.2011, however, the said circular, which was issued by the Inspector of General of Registration itself was withdrawn on 20.10.2017 and the same is not in force as on date. In view of the same, the petitioners may be permitted to file appropriate application under Section 62 of the Registration Act, before the District Registrar for cancellation of the aforesaid documents.



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3. Learned Special Government Pleader appearing for Respondents 1 & 2 and the learned counsel appearing for the private respondents have no objection to the said order being passed.

4. In view of the above submission made by the learned counsel for the petitioner, the said Circular itself having been withdrawn and the same being not in force as on date, this Court is inclined to permit the petitioners to file appropriate application before the District Registrar within a period of two weeks from the date of receipt of a copy of this order. If any such application is filed, the District Registrar concerned is directed to pass appropriate orders on the same in accordance with law, within a period of twelve weeks thereafter.

5. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs. Consequently, the connected Miscellaneous Petition is closed.

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To

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No.100, Santhome High Road,
Chennai-600 028.
2. The District Registrar (South),
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2nd Floor, Jeenis Road, Saidapet, Chennai- 600 015.
3. The Sub Registrar, Padappai
No.2/606, Illagi Nagar,
Padappai Main Road, Padappai, Chennai-601 301.
4. The Sub-Registrar,
Mylapore.
5. The Sub-Registrar,
Pallavaram
6. Inspector of Police,
Central Crime Branch,
Chennai Suburban Police,
Chennai-600 016.
7. The Inspector of Police,
Perungalathur, Chennai
8. The Collector,
Kancheepuram
9. The District Revenue Officer,



Kancheepuram

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- 10.The Revenue Divisional Officer,
Kancheepuram
- 11.The Tahsildar
Kancheepuram
12. The Deputy Tahsildar
Tamabaram Taluk, Kancheepuram District.



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M.DHANDAPANI, J.

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