



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4065 of 2022

WEB COPY

S.P.Muthuvel

.. Petitioner

Vs

- 1.The Chairman,
Registration Department,
No.100, Santhom Salai,
Chennai - 600 028.
- 2.The District Registrar,
District Registrar Office,
Periyakulam,
Theni District.
- 3.The Deputy Registrar,
Deputy Registrar Office,
Periyakulam,
Theni District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to cancel the illegal registration of documents on the basis of Will, dated 12.03.1990 in the light of petitioner's representation, dated 09.12.2021.

For Petitioner : Mr.S.Prabhu

For Respondents : Mr.J.John Rajadurai
Government Advocate

ORDER

This writ petition has been filed seeking for a Mandamus to direct the respondents to cancel the alleged illegal registration of documents namely Document No.2137 dated 26.10.2007, 1274/2013, dated 18.02.2016, 2761/2019 dated 17.12.2019, 1078/2018 dated 14.06.2018, on the file of the Deputy Registrar, Periyakulam, Theni District, based on the petitioner's representation, dated 09.12.2021.

2.Heard Mr.S.Prabhu, learned counsel appearing for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who accepts notice on behalf of the respondents.



3.The petitioner seeks cancellation of the aforementioned documents though the first document is dated 26.10.2007 and the last document is dated 14.06.2018. It is the case of the petitioner that he came to know about the alleged illegal registration of documents only in the year 2021. This Court at this stage, after lapse of almost 15 years from the date of the first document, which is required to be cancelled, cannot entertain this writ petition. The only remedy if at all available for the petitioner is to approach the Civil Court. The learned counsel for the petitioner seeks liberty of this Court to approach the Civil Court for cancellation of the aforementioned documents. The said statement is recorded.

4.This writ petition is disposed of by granting liberty to the petitioner to seek cancellation of the aforementioned documents, if so advised, before the Civil Court in the manner known to him under law. No costs.

Sd/-

Assistant Registrar(AE)

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/ /2022

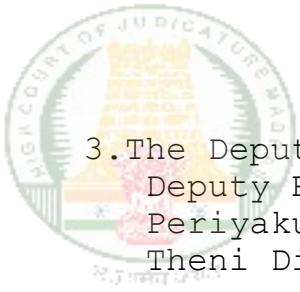
Sub Assistant Registrar(CS)

TM

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 Chairman,
Registration Department,
No.100, Santhom Salai,
Chennai - 600 028.
- 2.The District Registrar,
District Registrar Office,
Periyakulam,
Theni District.



3.The Deputy Registrar,
Deputy Registrar Office,
Periyakulam,
Theni District.

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+1 CC to M/s.SPL GP (SR-10574[F] dated 08/03/2022)

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ck(CO)
TR(24.03.2022) 3P 5C