



WEB COPY

W.P.No.30076 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.30076 of 2008

and

M.P.No.1 of 2008

1.N.P.Moorthy

2.N.P.Mohan

... Petitioners

Vs.

1.Inspector General of Registration

Santhome

Mylapore, Chennai 600 004.

2.The Sub Registrar

Wallajah Nagar

Wallajah Taluk

Vellore District.

3.M.Udayashankar

4.M.J.Babu

5.U.Gomathi

6.G.Poyyamozi

7.N.C.Kaviarasan

8.S.Ashok Kumar

9.G.Subramanian

10.V.Subramanian

11.R.Tholkappian

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for records of the order in No.48/2008 dated 25.11.2008 on the file of the 2nd respondent, quash the same and direct the respondents to cancel the entries in the register of the 2nd respondent relating to the documents presented and registered by respondents 3 to 12 relating to the property in S.F.No.371, T.S. No.12, Ward No.2, Block No.1 of Wallajah Town and Taluk, Vellore District and of an extent of 4.17 Acres.

For Petitioners	: M/s.S.Hemalatha
For R1 & R2	: Mr.T.Venkatesa Kumar Special Government Pleader
For R3, R4 & R5 to R9	: Mr.V.K.Rajagopalan
For R10 & R11	: Mr.N.Nagu Sah
For R6	: No Appearance

ORDER

The writ on hand has been instituted to quash the order No.48 of 2008 dated 25.11.2008 issued by Sub Registrar, Wallajah Taluk, Vellore District.

2. The order impugned reveals that the petitioner submitted an application to cancel the entries in the register of the sub registrar relating to the document present and registered by the respondents 3 to 11 relating to the



property in S.F.No.371, T.S. No.12, Ward No.2, Block No.1 of Wallajah Town and Taluk, Vellore District to an extent of 4.17 Acres. The Sub Registrar, considering the petition filed by the petitioner, rejected the same on the ground that under Section 55 of the Registration Act, he has no authority to cancel the entries based on the petition submitted by the petitioner.

3. The Sub Registrar has no authority to decide the title or ownership in respect of the immovable properties. Even some documents are forged or otherwise, such allegations are also to be raised before an appropriate Authority or the Forum concerned. Mere petition, in this regard, by a private party cannot be a ground to cancel the entries in the register made by the Sub Registrar otherwise by following the procedures as contemplated.

4. Thus, the petitioner's representation for cancelling the entries made in the register was rightly rejected by the Sub Registrar and the petitioner has to approach the competent authority / Forum for the purpose of redressal of their grievances, if any exist.



5. With these observations, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

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14.03.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

1.The Inspector General of Registration,
Santhome,
Mylapore, Chennai 600 004.

2.The Sub Registrar
Wallajah Nagar
Wallajah Taluk
Vellore District.



W.P.No.30076 of

S.M.SUBRAMANIAM, J.

Jeni

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