



WEB COPY



W.P.No.18116 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18116 of 2018

and

W.M.P.No.21404 of 2018

P.Duraisamy

... Petitioner

Vs.

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

2.The District Collector,
Tiruppur District.

3.The District Revenue Officer,
District Collector Office,
Tiruppur.

4.The District Registrar,
No.82, Raj Complex, P.N.Road,
Tiruppur District.

5.The Sub-Registrar,
No.8, Kovai Road,
Taluk Office Compound,
Kangayam,
Tiruppur District – 638 701.



W.P.No.18116 of 2018

WEB COPY

6.The Tahsildhar,
Office of the Tahsildhar,
Kangayam Taluk,
Tiruppur District.

7.K.M.Nataraj,

8.K.M.Periyasamy

9.S.Vijayakumari

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 03.07.2018 (served on 10.07.2018) Order No.3731/A5/2018 on the file of the 4th respondent, consequently direct the 4th respondent to cancel the Document No.2667 of 2018 dated 08.06.2018, pending before the 5th respondent as illegal and fraudulent registration by considering petitioner's representation and complaint dated 09.05.2018 and 11.06.2018.

For petitioner	: Mr.S.Ananth
For Respondents (For R1 to R6)	: : Mr.T.Arunkumar, Additional Government Pleader.
(For R7 and R8)	: Mr.P.Dineshkumar
(For R9)	: No appearance



WEB COPY

W.P.No.18116 of 2018



ORDER

The impugned order has been passed by the District Registrar (Administration) of the Registration Department. The petition filed by the petitioner before the District Registrar is to cancel the Sale Deed and the consequential patta granted by the Revenue Authorities.

2. The District Registrar found that there is no fraud or impersonation as contemplated under the provisions of the Registration Act and accordingly, rejected the complaint filed by the petitioner through the impugned proceedings dated 03.07.2018. The power to cancel the document conferred on the District Registrar through the Circular No.67 of 2011 has been withdrawn and therefore, during the relevant point of time, the District Registrar was not conferred with the power to cancel the registered document and the parties are to be relegated to approach the Civil Court of law.

3. In the present case, the learned counsel for the petitioner made a submission that during the pendency of the writ petition, actions were initiated through the Revenue Authorities for effecting sub divisions. Based on the application submitted by the petitioner, sub divisions were made and



WEB COPY



W.P.No.18116 of 2023

that being the factum, no further adjudication is required in respect of the grounds raised in the writ petition. If any grievance exists for the petitioner, he is at liberty to approach the competent authority.

4. With these observations, the Writ Petitions stands **disposed of**.

No costs. Consequently, connected miscellaneous petition is closed.

08.09.2023

Index:Yes
Speaking order
Neutral Citation:Yes
veda/sha



W.P.No.18116 of 2022

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.
- 2.The District Collector,
Tiruppur District.
- 3.The District Revenue Officer,
District Collector Office,
Tiruppur.
- 4.The District Registrar,
No.82, Raj Complex, P.N.Road,
Tiruppur District.
- 5.The Sub-Registrar,
No.8, Kovai Road,
Taluk Office Compound,
Kangayam,
Tiruppur District – 638 701.
- 6.The Tahsildhar,
Office of the Tahsildhar,
Kangayam Taluk,
Tiruppur District.



WEB COPY



W.P.No.18116 of 2018

S.M.SUBRAMANIAM, J.

sha

W.P.No.18116 of 2018
and
W.M.P.No.21404 of 2018

08.09.2023