



WEB COPY



W.P No.24173 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P No.24173 of 2023

T.Chinnaiyan

...Petitioner

Vs.

1.State of TamilNadu,
Rep. by its Collector,
Kallakurichi District.

2. The Revenue Divisional Officer,
Kallakurichi District.

3. The Deputy Inspector of Registration,
Registration Department,
Cuddalore Zone,
Cuddalore District.

4. The District Registrar,
Registration Department,
Kallakurichi District.

5. C.Udayakumar,

6. Sadaiyan,

7. K.Rajini

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1st and 2nd Respondents to consider and dispose of the petitioner's representation dated 10.04.2023 and pass such further or other suitable orders.



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For Petitioner : Mr.C.K.Chandrasekar

For Respondents
No.1 to 4 : Mr.D.Ravichander,
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to consider the representation submitted by the writ petitioner dated 10.04.2023.

2. The petitioner's representation dated 10.04.2023 was addressed to the Revenue Divisional Officer, Kallakurichi District and the relief sought for by the petitioner is to cancel the registered documents bearing Document Nos.49/1986, 192/1998 and 790/2023. The Revenue Divisional Officer is not the competent authority to cancel the documents registered under the provisions of the Registration Act, 1908. Therefore, the said representation could not provide any relief to the Writ Petitioner from the hands of the Revenue Divisional Officer.

3. However the learned counsel for the petitioner brought to the notice of this Court that the petitioner has submitted further representation to the Deputy Inspector General, Registration Department, Cuddalore Zone, who in turn forward the representation of the writ petitioner dated 10.04.2023 to the



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District Registrar, Kallakurichi for conducting enquiry. The District Registrar is empowered to adjudicate the disputes under the provisions of the Registration Act and under Section 77-A of the Registration Act, the District Registrar, if found that the document is registered fraudulently or through impersonation, can cancel the same.

4. Since the representation submitted by the petitioner on 10.04.2023 was forwarded by the Deputy Inspector General of Registration, Cuddalore region, to the District Registrar, Kallakurichi, the District Registrar, Kallakurichi shall conduct an enquiry by affording opportunity to all the parties and by following the procedures as contemplated under Section 77-A of the Registration Act and pass appropriate orders by following circulars issued by the Inspector General of Registration.

5. Accordingly, the Writ petition stands **disposed of**. No costs.

gvn/sha

17.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No



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S.M.SUBRAMANIAM, J.
sha

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To

- 1.State of TamilNadu,
Rep. by its Collector,
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2. The Revenue Divisional Officer,
Kallakurichi District.
3. The Deputy Inspector of Registration,
Registration Department,
Cuddalore Zone,
Cuddalore District.
4. The District Registrar,
Registration Department,
Kallakurichi District.
5. Special Government Pleader,
Madras High Court.

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