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W.P.No.23087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23087 of 2023 &
W.M.P.No.22626 of 2023

M/s.Citi Farms and Reorts,
Rep.by its Managing Partner, P.Sreenivasalu Reddy,
Having its registered office at No.101, Battavis Chambers 1st Floor,
No.8, Kumara Krupa Road, Bengaluru – 1. ...Petitioner

Vs.

1.The District Registrar,
Registration Department, Krishnagiri.

2.The Sub-Registrar,
Sub – Registrar Office, Kelamangalam,
Hosur, Krishnagiri Dt.

3.U.Viswanatha Reddy.

4.A.Harish ..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India,
to issue a Writ of Mandamus forbearing the respondents, their men, agents
or representatives from registering any documents pertaining to the land
situated in S.Nos.596, 591/2, 590, 594/1, 594/2, 595/2A, 595/2B, 592/1,



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592/2, 593, 591/1, 572/1, 573/1, 573/2 situates in Nagondapalli Village,
Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.K.Sathyabal

For Respondents 1 & 2 : Mr.P.Sanjay Gandhi,
Government Advocate

ORDER

The writ on hand has been instituted to forbear the respondents, their men, agents or representatives from registering any documents pertaining to the land comprised in S.Nos.596, 591/2, 590, 594/1, 594/2, 595/2A, 595/2B, 592/1, 592/2, 593, 591/1, 572/1, 573/1 & 573/2 situated at Nagondapalli Village, Hosur Taluk, Krishnagiri District.

2. The petitioner states that they are the absolute owners of the subject property morefully described in the present writ petition.

3. The respondents 3 and 4 are attempted to interfere with the civil right of the petitioner to deal with the property and certain portions of the property were already sold by the respondents 3 and 4. In view of the fact that some other partners of the petitioner company has already alienated the properties, the petitioner has submitted an objection to the respondents 1 and 2 not to register any document pertaining to the subject property. In respect of the registered documents, the petitioner has given an application



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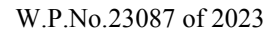
under section 77A of the Act to cancel those documents.

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4. As far as the complaint given under section 77A of the Registration Act is concerned, the District Registrar/first respondent is empowered to conduct an enquiry and find out, if there is any fraudulent registration or otherwise. In the event of any fraudulent registration or registration by impersonation, then all appropriate actions may be taken by following the procedures as contemplated under the Act.

5. Regarding the objections filed by the petitioner not to register any document, such a relief cannot be considered by the respondents 1 and 2, since no power has been conferred with the registering authority to refuse documents presented, unless such documents are prohibited under any of the provisions of the Registration Act.

6. When the powers are not conferred on the Sub Registrar to refuse such documents to register, the High Court cannot issue a direction to forbear the respondents from registering the documents which are otherwise



8. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes
Speaking Order



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Registration Department, Krishnagiri.
- 2.The Sub-Registrar,
Sub – Registrar Office, Kelamangalam,
Hosur, Krishnagiri Dt.



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S.M.SUBRAMANIAM, J.

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