



W.P(MD)No.1694 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1694 of 2023

A.Sakthivel

... Petitioner

Vs

1.The District Collector,
Collector Office,
Ramnad Town,
Ramanathapuram District.

2.The Sub Registrar,
Sayalkudi Sub Registrar Office,
Sayalkudi Town,
Ramanathapuram District.

3.Iyam Perumal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 01.12.2022 and direct to enquire the matter according to law.

For Petitioner : Mrs.S.Devasena

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R.1



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Mr.M.Satheeskumar
Additional Government Pleader for R.2

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Special Government Pleader appearing for the first respondent and the learned Additional Government Pleader appearing for the second respondent. Considering the nature of relief to be granted, issuance of notice to the third respondent is dispensed with.

2.The petitioner has given a representation dated 01.12.2022 before the official respondents. He wants the subject documents to be cancelled. The documents in question were registered way back in the year 1981-1983. During the relevant time there was no provision authorizing the registering authority to cancel even a fraudulently registered document. The petitioner cannot take advantage of subsequent legal developments. For the reasons set out in the order dated 03.01.2022 made in W.P(MD)No.23138 of 2021, this writ petition is dismissed. I make it clear that I have not gone into the merits of the matter. I have only held that the second respondent lacks the jurisdiction to grant the relief sought for by the petitioner. The petitioner can very well



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establish his civil rights in the manner known to law. All the other contentions of the writ petitioner are left open. There shall be no order as to costs.

30.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

- 1.The District Collector,
Collector Office,
Ramnad Town,
Ramanathapuram District.
- 2.The Sub Registrar,
Sayalkudi Sub Registrar Office,
Sayalkudi Town,
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

MGA

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