



W.P.(MD)No.9720 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

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CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.9720 of 2021

and

W.M.P.(MD)No.7421 of 2021

S.Ramaraj

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Registrar,
Office of District Registrar,
Theni District.

3.The Sub Registrar,
Office of Sub Registrar,
Aundipatty, Theni District.

4.S.Rajasekaran

5.R.Thyagarajan

6.Meenakshi

7.Sasikumar

8.Murugan

9.Vijayakumar

10.Jothi Boss

11.Susila

12.Umashankar

13.Nithiya

14.Natarajan

15.Subbulakshmi



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16.Dinesh
17.Senthil
18.Induja
19.Mari
20.Manivel
21.Murugan
22.Sridhar

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein, to Annual / Cancel the settlement deeds in Doc.No.4478/2010 dated 30.07.2010, Doc.No.945/2013 dated 27.02.2013, Doc.No.1920/2013 dated 18.04.2013, Doc.No.1956/2013 dated 19.04.2013, Doc.No. 2971/2020 dated 26.06.2020, and Subsequent Sale deeds executed in favour of the respondent 7 to 24 in Doc.No.2978/2020 dated 26.06.2020, Doc.No.2981/2020 dated 29.06.2020, Doc.No.3005/2020 dated 29.06.2020, Doc.No.3080/2020 dated 2.07.2020, Doc.No.4365/2020 dated 31.08.2020, Doc.No.4366/2020 dated 31.08.2020, Doc.No.4367/2020 dated 31.08.2020, Doc.No.4435/2020 dated 01.09.2020, Doc.No.4369/2020 dated 04.09.2020, Doc.No.4577/2020 dated 04.09.2020, Doc.No.4636/2020 dated 08.09.2020, Doc.No.4680/2020, dated 08.09.2020, Doc.No.4831/2020 dated 14.09.2020, Doc.No.4889/2020, dated 15.09.2020, Doc.No.4890/2020, dated 15.09.2020, Doc.No.5002/2020 dated 17.09.2020, Doc.No.5171/2020, dated 23.09.2020, Doc.No.6023/2020 dated 28.10.2020, Doc.No.6081/2021 dated 29.10.2020, Doc.No.6081/2021 dated 29.10.2020, Doc.No.6592/2020, dated 19.11.2020 and Doc.No.7272/2020 dated 14.12.2020 on the file of the third respondent herein by conducting enquiry under Section 68, 82 and 83 of the Registration Act based on the representation of the petitioner dated 25.01.2021.

For Petitioner : Mr.V.S.Kumarguru
For R1 to R3 : Mr.B.Saravanan

Additional Government Pleader



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For R4 to R6 : Mr.N.Dilipkumar

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondents 1 to 3 to act upon the representation made by the petitioner on 25.01.2021 and to cancel various documents that were executed.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 3 and the learned counsel for the respondents 4 to 6.

3.The case of the petitioner is that the property belongs to the partnership firm, the fourth respondent had dealt with the same and had created encumbrance. As a result, all the subsequent encumbrances had taken place and nearly, 26 documents have been registered from the year 2010-2020. The petitioner wanted to cancel all these documents on the ground that they have been fraudulently created. Since the representation made by the petitioner was not considered, the present writ petition has been filed before this Court.

4.In the considered view of this Court, the ground that has been raised by the petitioner, cannot be acted upon by the District Registrar for cancellation of the documents. It is brought to the notice of this Court that already civil suit



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in this regard had been filed and the same is pending. Hence, it is left open to the petitioner to question the legality of the documents in the pending civil suit.

Except giving this liberty, no further orders can be passed in this writ petition.

5.This Writ Petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

17.10.2023

NCC : Yes / No

Index : Yes/No

Internet : Yes/No

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To

1.The Inspector General of Registration,
Office of Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Registrar,
Office of District Registrar,
Theni District.

3.The Sub Registrar,
Office of Sub Registrar,
Aundipatty, Theni District.



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N.ANAND VENKATESH, J.

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