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W.P.(MD)No.9705 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.9705 of 2021

1.Ashokar.G.S.
2.G.S. Thangaraj
3.G.S. Esa
4.G.S. Jacob
5.G.S. Edwin

...Petitioners

Vs

1.The Inspector General of Registration,
100, Santhome High Road, Chennai.

2.The Deputy Registrar General
Tirunelveli.

3.The District Registrar
Thoothukudi

4.The Joint Sub Registrar
Joint - I Sub Division,
Thoothukudi.

5.G. Samuel

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent to make entries in index (ii) to the effect that the said registered documents are forged one and to make specific entry in the latter part of the document and also not to make any registration based on the forged document on the basis of the petitioners' representation dated 17.10.19 and 16.09.2020 as per the circular



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dated 31.07.2018 and 14.11.2018 issued by the Inspector General
Registration within the time fixed by this Court.

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For Petitioner : Mr.H.Arumugam
For R1 to R4 : Mr.A.K.Manikkam
Special Government Pleader
For R5 : Mr.N.Sundaresan

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the third respondent to make necessary entry in Index (II) based on the representations made by the petitioner on 17.10.2019 and 16.09.2020.

2.The petitioner has approached this Court seeking for entering the proceedings of the District Registrar dated 13.08.2019 in the relevant records maintained by the third respondent, based on the circular dated 31.07.2018.

3.In the considered view of this Court, circular dated 31.07.2018 is no more in force. That apart, entry cannot be made in the encumbrance certificate, unless the document is cancelled and such cancellation is pursuant to the orders passed by the District Registrar in that regard. In the instant case, the District Registrar did not cancel the document and hence a mere direction order passed by the District Registrar by itself cannot be entered in the relevant

records

<https://www.mhc.tn.gov.in/jdis>



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4.In view of the above, it is left open to the petitioners to workout their remedy in the manner known to law, if there is any subsequent circular issued in this regard before the District Registrar. Accordingly, this Writ Petition is disposed of. No costs.

17.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector General of Registration,
100, Santhome High Road, Chennai.
- 2.The Deputy Registrar General
Tirunelveli.
- 3.The District Registrar
Thoothukudi
- 4.The Joint Sub Registrar
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N.ANAND VENKATESH, J.

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