



W.P.(MD)No.20462 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20462 of 2021

Subbiah Gounder

... Petitioner

Vs

1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Sub Registrar,
Keeranur Registrar Office,
Palani Taluk,
Dindigul District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to cancel the registered document No.281/2017 by the 3rd respondent in Survey No.400/2 situated in Balakrishnapuram Village, Dindigul District as illegal registration, based on the petitioner's representation dated 12.10.2021.

For Petitioner
For R-1 to R-3

: Mr.T.Ramasamy
: Mr.B.Saravanan,
Additional Government Pleader



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W.P.(MD)No.20462 of 2021

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondents to cancel the registered sale deed dated 06.02.2017, based on the representation / complaint given by the petitioner on 12.10.2021.

2. Heard the learned counsel on either side.

3. The grievance of the petitioner is that he had subscribed his thumb impression in a document dated 06.02.2017 which was a sale deed executed in favour of one Jeyapaul and thereby, the property has been grabbed from the petitioner. The petitioner wanted to cancel this document and made a representation in this regard to the respondents. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. In the considered view of this Court, a registered sale deed has been executed by the petitioner in favour of one Jeyapaul. According to the petitioner, his thumb impression has been fraudulently obtained from



W.P.(MD)No.20462 of 2021

him. This is an issue into which the respondents cannot go into and the petitioner has to necessarily agitate the grievance only before a competent Civil Court. The ground that has been raised by the petitioner goes beyond the scope of the enquiry that can be conducted by the District Registrar under Section 68(2) of the Registration Act, 1908. That apart, the petitioner has not even made a complaint before the District Registrar to cancel the document.

5. In view of the above, the relief sought for by the petitioner cannot be granted by this Court. However, liberty is granted to the petitioner to work out his remedy before the competent Civil Court.

6. This Writ Petition is disposed of accordingly. No costs.

16.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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W.P.(MD)No.20462 of 2021

N.ANAND VENKATESH, J.

tsg

To

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2.The District Revenue Officer,
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W.P.(MD)No.20462 of 2021

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