



WEB COPY



W.P.No.33094 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.33094 of 2024

and

W.M.P.Nos. 35848, 35852 & 35853 of 2024

1.S.R.Raghavan
2.Nappinnai
3.Vijaya
4.G. Murugan

... Petitioners

Vs.

1.The State Of Tamilnadu
Rep. By The Secretary To Government Registration Department Fort St
George Chennai 9

2.The Inspector General Of Registration
Registration Department Santome Chennai 4

3.The District Registrar
Cheyyar, Tiruvannamalai District

4.The Sub Registrar
Vandavasi, Tiruvannamalai District

5.The Tahsildar
Cheyyar, Tiruvannamalai District

6.P.Krishnan

7.Muniammal

8.Sakunthala

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 3rd respondent to conduct necessary enquiry on the petitioners representation dated 7.7.2023 and to cancel (a) the illegal gift settlement deed of the 6th respondent P. Krishnan dated 12.7.2022 vide document No 3189 / 2022 of the office of the Sub-Registrar, Vandavasi, Thiruvannamalai district and (b) the sale deed of the 7th respondent Munniammal vide document dated 03.11.2022 in Reg. No 5060 / 2022 in the office of the Sub-Registrar, Vandavasi Thiruvannamalai District, within a time limit.

For Petitioner : M/s.Secular S.Arunkumar

For Respondents : M/s.P.Harish, Govt. Advocate
for R.1 to R.5.

ORDER

The petitioner seeks a direction to the 3rd respondent to consider his representation dated 07.07.2023, to conduct an inquiry and to cancel (a) the illegal gift settlement deed of the 6th respondent one P. Krishnan dated 12.7.2022 vide document No.3189 / 2022 on the file of the Sub-Registrar, Vandavasi, Thiruvannamalai District and (b) the sale deed of the 7th respondent one Munniammal vide document dated 03.11.2022 in Reg. No.5060 / 2022 on the file of the office of the Sub-Registrar, Vandavasi



Thiruvannamalai District.

2. Heard the learned counsel for the petitioners and the learned Government Advocate accepting notice for respondents 1 to 5.

3. In the light of the judgement of a Division Bench of this Court in the case of *M.Kathirvel Vs. Inspector General of Registration, Department of Registration and Others [reported in 2024 (4) CTC 769]*, the prayer sought for cannot be granted, as it has been held by the Division Bench that the Registering Authority has no power to cancel the document unilaterally.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

20.11.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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P.T. ASHA. J.,

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