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W.P.No.9254 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.9254 of 2018

D.James Peter

..... Petitioner

-Versus-

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

2.The District Registrar,
North Chennai Registration District,
Chennai – 600 001.

3.The Sub Registrar,
Sub Registrar Office,
Redhills, Chennai – 600 052.

4.Nithin Patel

5.Shankar Lal Patel

6.S.Kalyani

7.M/s.Southern Television Pvt. Ltd.,
rep. by its Director R.N.Damani,
No.6, Ground Floor, Rayala Towers,
Nos.781 to 785, Anna Salai,
Chennai – 600 002.

..... Respondents



W.P.No.9254 of 2018

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 to 3 to dispose of the petitioner's representation dated 26.03.2016 to cancel the Rectification Deed executed by the 6th respondent as power agent of the respondents 4 and 5 in favour of the 7th respondent vide Doc. No.7897 of 2015 dated 19.08.2015 on the file of the 3rd respondent.

For Petitioner : Mr.K.Balaji

*For Respondent (s) : Mr.Yogesh Kannadasan,
Special Government Pleader
for R1 to R3
Mr.J.D.Srikanth Varma
for R4 to R7*

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 3 to dispose of the representation of the petitioner dated 26.03.2016 to cancel the registered rectification deed dated 19.08.2015 executed by the 6th respondent as Power Agent of the respondents 4 and 5 in favour of the 7th respondent vide Doc.No.7897 of 2015 registered on the file of the 3rd respondent on 19.08.2015.

2. Now, it is stated by the learned counsel for the petitioner that a Civil Suit in O.S.No.145 of 2017 has been filed before the learned Subordinate Judge, Ponneri, for cancellation of the rectification deed and the same is



W.P.No.9254 of 2018

pending.

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3. Since rectification deed dated 19.08.2015 which was registered by the 3rd respondent on 19.08.2015 as Doc.No.7897 of 2015, this court is of the view that such power is not vested with the Sub Registrar. When the document is presented by a party, who executed the document consciously, for registration if there has been no fraud and impersonation, as a matter of right, such a document cannot be sought to be cancelled invoking the writ jurisdiction of this court. The petitioner can work out his remedy in the civil court in the manner known to law. This court does not find any merit in the writ petition and the same deserves only to be dismissed.

In the result, the writ petition is dismissed, however with the above observations. No costs.

01..04..2024

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

- 1.The Inspector General of Registration, 100, Santhome High Road, Mylapore, Chennai.
- 2.The District Registrar, North Chennai Registration District, Chennai – 1.
- 3.The Sub Registrar, Sub Registrar Office, Redhills, Chennai – 600 052.



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W.P.No.9254 of 2018

N.SATHISH KUMAR.J.,

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W.P.No.9254 of 2018

01..04..2024