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W.P.No.9828 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.9828 of 2019

R.Chandran

... Petitioner

VS.

1.The Inspector General of Registration,
Office of Inspector General of Registration,
No.100, Santhome High Road,
Mylapore,
Chennai – 600 028.

2.The Deputy Inspector General of Registration,
Krishnagiri Range,
Krishnagiri District.

3.The District Registrar,
Krishnagiri District,
Krishnagiri.

4.M.Gurumurthy

5.N.Chennappan

6.Nanjamma

... Respondents

*(R6 impleaded vide Order dated 17.02.2020 made in
WMP.No.35151/2019 in W.P.No.9828/2019)*

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the First Respondent to



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consider the representation of the petitioner dated 21.01.2019 in accordance with law by Holding an enquiry into the circumstances of the Registered a Document Sale Deed dated 02.11.2018 in favour of the Fourth and Fifth Respondent herein made in Document No.18715 of 2018 on the file of Sub-Registrar Office, Hosur.

For Petitioner : Mr.R.Sankarasubbu

For R1 to R3 : Mr.B.Vijay
Additional Government Pleader

ORDER

The writ petitioner herein seeks a Mandamus directing the 1st respondent to consider his representation dated 21.01.2019 and conduct an enquiry into circumstances under which registered Sale Deed dated 02.11.2018 in favour of the respondents 4 and 5 was executed by 6th respondent.

2. According to the petitioner, he entered into a Sale Agreement with 6th respondent for purchase of the property in SF.No.251/2A with an extent of 0.38.0 Hectares in Sevaganapalli Village, Hosur Taluk, Krishnagiri District. It is the case of the petitioner that violating the agreement entered with the petitioner, the agreement vendor-Nanjamma/the 6th respondent herein sold the agreement mentioned property to the respondents 4 and 5 by



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5. In fact, Section 77A of the Registration Act which enable the Registering Authority to cancel the registered document on the ground of fraud was struck down by the Division Bench of this Court in ***M.Kathirvel vs. The Inspector General of Registration*** (W.P.No.10291 of 2022 etc., batch, dated 02.08.2024). Therefore, the prayer made by the petitioner for cancellation of the registered document in favour of the respondents 4 and 5 cannot be accepted. The 1st respondent cannot pass any order affecting the registration of the Sale Deed in favour of the respondents 4 and 5 by conducting any enquiry. Therefore, no purpose will be served by directing the 1st respondent to conduct an enquiry on the representation submitted by the petitioner.

6. The writ petition is dismissed with liberty to the petitioner to explore other remedy available to him before the Civil Court. No costs.

07.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

dm

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