



WP.No.13514 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.13514 of 2024

M.Murugesan

.. Petitioner

Versus

1. The District Registrar [Admin],
Gandhi Nagar, Dharmapuri.

2. The Sub Registrar,
SR Office, Karagathalli, Palacode, Krishnagiri – 636 808.

3. Samrajammal

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider petitioner representation dated 9.11.2023 and initiate enquiry with regard to fraudulent registration of document with respect to the property belonging to the petitioner in Survey No. 74/1B measuring an extent of 2.58 acres in Elumichanahalli Village Dharmapuri district.

For Petitioner : Mr.M.Karthikeyan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – R1 & R2



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ORDER

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With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the first respondent to consider petitioner representation dated 9.11.2023 and initiate enquiry with regard to fraudulent registration of document with respect to the property belonging to the petitioner in Survey No.74/1B measuring an extent of 2.58 acres in Elumichanahalli Village, Dharmapuri District.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

3. The case of the writ petitioner is that the petitioner is the owner of the subject property vide registered sale deed dated 05.04.2007. While so, the third respondent, who is having no right over the property, has filed an application before the first respondent to cancel the sale deed executed in favour of the petitioner. The first respondent has rejected the application and directed the second respondent to proceed as per the prevailing rules and



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regulations. In this regard the petitioner has given a representation to the first respondent to conduct enquiry. However, his representation has not been considered till dated. Hence, the present Writ Petition.

4. At the outset, this Court is of the view that no such direction can be issued, since the document does not fall within the ambit of 22A or 22B of the Registration Act. Merely because somebody claiming to be owner of the property has transferred the property illegally, the same will not give power to registering authorities to cancel the document. It is for the petitioner to challenge such document before a competent Civil Court. Hence, I do not find any merits in this Writ Petition.

5. Accordingly, this Writ Petition is dismissed. No costs.

06.06.2024

vrc
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,
1. The District Registrar [Admin],
Gandhi Nagar, Dharmapuri.

2. The Sub Registrar,
SR Office, Karagathalli, Palacode, Krishnagiri – 636 808.

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N. SATHISH KUMAR, J.

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