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W.P.No.13542 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13542 of 2024
AND
W.M.P.No.14693 of 2024

K.Kannan

.. Petitioner

Vs

1.Inspector General of Registration,
Santhome High Road,
Chennai – 600 015.

2.The District Registrar
Fanpet, Nandanam,
Chennai - 600 035.

3.A.Mariyae

4.S.Soorapathman

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent to conduct an enquiry based on petitioner representation dated 31.05.2023 as contemplated under section 77-A of the Registration Act and cancel the sale deed dated 06.08.2001 bearing Document No.1027 of 2001 registered on the file of the Sub Registrar, Saidapet, to and in favour of the 3rd respondent and sale deed dated 02.01.2002 bearing Document No.2 of 2002 registered on the file of the Sub Registrar, Saidapet, to and in favour



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of the 4th respondent.

For Petitioner : Mr.S.Sadasharam
For R1 and R2 : Mr.P.Anandhakumar
Government Advocate

ORDER

This writ petition has been filed for a direction to the 2nd respondent to take action on the petitioner's representation dated 31.05.2023.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2 and perused the materials available on record.

3. It is the contention of the petitioner that pursuant to a development agreement between the petitioner and the developer, the latter, by misusing the power of attorney executed in his favour, executed sale deeds in favour of the respondents 3 and 4. In this regard, the petitioner lodged a complaint to the 2nd respondent on 31.05.2023 and enquiry is yet to commence. Hence, he filed the present writ petition seeking the aforesaid relief.



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4. The very complaint indicates that this is a clear case of a dispute between the Principal and his Power Agent and not forgery or whatsoever. As far as the document is concerned, it also does not fall under the category of documents mentioned in Sections 22-A and 22-B of the Registration Act, 1908.

5. In such view of the matter, the Registrar/2nd respondent cannot go into this dispute under Section 77-A, *ibid.*, to cancel the document in question. The remedy of the petitioner lies before the Civil Court and not before the Registrar under Section 77-A, *ibid.*

In the result, this writ petition stands dismissed. No costs.
Connected Miscellaneous Petition is closed.

05.06.2024

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Index : Yes/No

Neutral Citation : Yes/No

To

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N.SATHISH KUMAR, J.

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