



WP.No.19553 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.19553 of 2024

1.Ayyammal
2.Sivaraj
3.V.Tamizhselvi

.. Petitioner

Versus

1.The Inspector General of Registration
Santhome High Road
Chennai – 600 004

2.The District Registrar
Coimbatore

3.The Sub Registrar
Singanalur, Coimbatore District

4.Velingiri
5.Karthick Raja

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pass orders on the petition dated 12.12.2023 of the petitioner in Na.Ka.No.8681/B1/2021 dated 12.12.2003 pending on the file of 2nd respondent.

For Petitioner : Mr.N.Ishtiaq Ahmed

For Respondents : Mr.M.Shahjahan for R1 to R3
Special Government Pleader



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ORDER

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2. It is the grievance of the writ petitioner that the petitioner has executed a settlement deed in favour of petitioners 2 and 3 in Doc.No.6496 of 2020. Further, the respondents 4 and 5 gave a complaint to the District Registrar to cancel the document. The petitioner was called for enquiry on 15.06.2022, the petitioners appeared, however, no order is passed. Hence, seeks for a direction.

3. Since, no adverse order is passed against the respondents 4 and 5, notice to them is dispensed with. With the consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

4. At the outset, this Court is of the view that the very writ petition itself is misconceived, the complaint given by the respondents 4 and 5 annexed in the typedset indicate that the very complaint proceeded as if the document has



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been executed during the pendency of the suit. Therefore, the same has to be cancelled on the ground of fraud. It appears that O.S.No.2 of 2021 is pending, however, no interim order whatsoever is passed. Therefore, any document is executed, the validity of the document will always be subject to the result of the suit. Mere execution of the document during the pendency of the suit, the same will not amount to fraud whatsoever. Further, the District Registrar has no power whatsoever to go into the matter to cancel the document.

5.In view of the above, this writ petition stands disposed of. No costs.

23.07.2024

dhk

Index : Yes/No

Neutral Citation : Yes/No

To

1.The Inspector General of Registration
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2.The District Registrar
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N. SATHISH KUMAR, J.

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