



W.P.No.17961 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 17961 of 2023

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W.M.P.Nos. 17113 & 17114 of 2023

1.Sri Kaliappa Trust
Rep by its Chairman T.Jaganathan
No.6, EVR. Nagar, Peelamedu,
Coimbatore-641 004.

2.T.Jaganathan

...Petitioners

Vs.

1.The Inspector General of Registration
Chennai.

2.The District Registrar, (Administration)
Coimbatore.

3.The Sub Registrar
Office of Sub Registrar, Gandhipuram.



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4.The Sub Registrar
Office of Sub Registrar, Ganapathi.

5.The Sub Registrar
Office of Sub Registrar, Metupalayam.

6.Deivanai

7.Saraswathi

8.Annapoorni

9.Nirmala

...Respondents

(R7 to R9 impleaded vide order dated 12.11.2024 in W.M.P.No.34222 of 2024).

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus to call for the records of 2nd respondent in his impugned order dated 24-04- 2023 in Na.Ka. No. 6911 /E2 / 2022 and quash the same as arbitrary, illegal, against law and without jurisdiction and consequently direct the respondents 1 to 5 herein to delete the document remarks made in encumbrance certificate with regard to S.F. No.393, 364/1, 392/1 measuring an extent of 6.46 acres in Vilankurichi Village, Coimbatore Taluk and District about the cancellation order dated 24-04-2023 in Na.Ka. No. 6911 /E2 / 2022



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passed by the 2nd respondent.

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For Petitioner : Mr. R.N.Amarnath
For Respondents : Mr. B.Vijay
1 to 5 Additional Government Pleader.
For Respondents : Mr. R.Narayanan
6 to 9.

ORDER

Questioning the unilateral cancellation of the document, the Writ Petitioner is before this Court.

2. The cancellation has been made on the strength of the provisions of Section 77-A of the Registration Act.

3. Since the matter is covered by the orders of the Division bench of this Court in *M.Kathirvel and others Vs. Inspector General of Registration – 2024 (4) CTC 769*, this Court is not going into the facts



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of the case.

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4. In the light of the Judgement passed by the Division Bench of this Court in *M.Kathirvel and others Vs. Inspector General of Registration – 2024 (4) CTC 769*, this unilateral cancellation is invalid.

5. Accordingly, the Writ Petition is allowed. The impugned order is set aside. Consequently, the connected miscellaneous petitions are closed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

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Office of Sub Registrar,
Gandhipuram.
- 4.The Sub Registrar
Office of Sub Registrar,
Ganapathi.
- 5.The Sub Registrar
Office of Sub Registrar,
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P.T. ASHA, J,

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