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WP.No.19309 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.19309 of 2022

R.Magesh

.. Petitioner

Versus

1.The Inspector General of Registration
No.100, Santhome High Road
Santhome, Chennai

2.The Deputy Inspector General of Registration
SIDCO Industrial Estate Campus
Guindy, Chennai – 600 032

3.The District Registrar
Tiruvallur Distict
Tiruvallur

4.The Sub Registrar
Thiruvalangadu Sub Registrar Office
Thiruvalangadu, Tiruvallur District

5.E.P.Ramesh

.. 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 cancel the forged document bearing register No.3191/2006 dated 12.10.2006 based on the petitioner's representation dated 12.05.2022.

For Petitioner : Mr.D.Ashok Kumar (No appearance)
For Respondents : Mr.B.Vijay for R1 to R4
Additional Government Pleader



WP.No.19309 of 2022

ORDER

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By consent of both parties, this writ petition is taken up for final disposal.

2. This writ petition has been filed seeking for a direction to consider the representation to cancel the forged document bearing register No.3191/2006 dated 12.10.2006.

3. According to the writ petitioner, the petitioner is in possession of the ancestral property. While so, the fifth respondent illegally registered settlement deed in his favour. Hence, the petitioner to cancel the document bearing register No.3191/2006 dated 12.10.2006. Hence, this writ petition.

4. Heard both sides and perused the materials placed on record.

5. The alleged transaction is of the year 2006. The petitioner, even according to him, he has given a complaint for the alleged forgery in the year 2022 and not even made an attempt to file a suit. Therefore, at this stage, directing the respondents to cancel the so-called the forged document does not



WP.No.19309 of 2022

arise at all. The amendment brought under the Registration Act in 22-B is held to be prospective in nature in a judgment of this Court in ***Netvantage Technologies Pvt. Ltd v Inspector General of Registration***, reported in 2024 *SCC OnLine Mad* 567.

6. Such view of the matter, when the document is registered in the year 2006, the respondents cannot be directed to cancel the document, it is for the petitioner to establish his right before Civil Court by filing appropriate suit.

7. With the above direction, this writ petition stands dismissed. No costs.

16.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

1.The Inspector General of Registration
No.100, Santhome High Road
Santhome, Chennai

2.The Deputy Inspector General of Registration
SIDCO Industrial Estate Campus
Guindy, Chennai – 600 032

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WP.No.19309 of 2022

N. SATHISH KUMAR, J.

dhk

3.The District Registrar
Tiruvallur Distict
Tiruvallur

4.The Sub Registrar
Thiruvalangadu Sub Registrar Office
Thiruvalangadu, Tiruvallur District

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