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WP.No.20025 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

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THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

WP.No.20025 of 2021

G.Arul Xavier

.. Petitioner

Vs

1.The Assistant Inspector General of Registration,
Chennai Region,
Block no.3, Thiru.Vi.Ka.Industrial Estate,
Chennai-600 032.

2.The District Registrar(Central Madras),
No.182, Bharathi Salai,
Royapettah, Chennai-600 014

3.The Management of Binny Ltd.,
no.1, Cooks Road,
Perambur, Chennai-600 012.

4.The Sub Registrar,
O/o.Purasawalkam Sub Registrar,
Purasawalkam, Chennai-600 007

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records on the file of the first respondent in ref.no.2922/A1/2020 dated 29.07.2021 and quash the same.

For Petitioner : No appearance
For Respondents : Mr.P.Anandha Kumar, GA



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ORDER

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This Writ Petition has been filed challenging the order dated 29.07.2021 passed by the Appellate Authority, rejecting the appeal filed by the petitioner,

2. According to the petitioner, he is an ex-employee of B & C Mill and working for welfare of the employees. He made a representation to the 2nd respondent to cancel the document executed by the fourth respondent on the ground that without settling the dues payable to the workers, Sale Deed executed by the fourth respondent is not valid in the eye of law. Since the said representation was not disposed of, the petitioner filed a writ petition before this Court in W.P.No.5575 of 2020, which came to be disposed of by this court, directing the 2nd respondent to dispose of the representation made by the petitioner. Pursuant to the same, it appears that the 2nd respondent has disposed of the representation, declining the prayer sought for by the petitioner. Against which, the petitioner preferred an appeal before the 1st respondent. By order dated 29.07.2021, the 1st respondent rejected the appeal. Challenging the same, the present Writ Petition has been filed.

3. On perusal of the entire order, this Court is of the view that the order passed by the Appellate Authority does not require any interference for the



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simple reason that as a matter of right, the documents which were already executed by the 4th respondent, cannot be cancelled by the authorities unless the documents registered would fall within the ambit of Section 77(A) of the Registration Act. The Registering Authority has no power under law to invalidate the title or to cancel the registered documents. While so, mere on the basis of the representation said to have given by the petitioner on the ground that some dues are payable to the workers, the registered documents executed by the 4th respondent cannot be cancelled by the Authority. Therefore, I do not find any merit in this petition. Accordingly, the Writ Petition is dismissed. No costs.

10.04.2024

dn

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To

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N. SATHISH KUMAR, J.

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