



WEB COPY



W.P.No.22165 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22165 of 2024 and

W.M.P.No.24147 of 2024

C.Dhanasekaran

...Petitioner

Vs.

1.The Inspector General of Registration,
Inspector General of Registration Office,
No.100, Santhome High Road,
Mailapore, Chennai-28.

2.The District Collector,
Villupuram District Collector Office,
Villupuram.

3.The District Registrar,
Dindivanam District Registration Office,
Villupuram.

4.The Sub-Registrar,
Avarapakkam Sub-Registration Office,
Villupuram.

5.The Village Administrative Officer,
Dhadhapuram Village,
Tindivanam Taluk-604 207.

6.Sarathammal

7. K.Venkatesan

..Respondents

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W.P.No.22165 of 2022.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, considering the petitioner's representation dated 28.09.2022 and consequently directing the 1st and 3rd respondent to take action against the 4th and 5th respondents for registering the fraudulent document and directing the 4th respondent to cancel the document No.5951 of 2013.

For Petitioner : M/s.Lavanya Thirumalai
For Respondents 1 to 5 : Mr.T.Chezhiyan
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to respondents to consider his representation dated 28.09.2022 and consequently take necessary action against the respondents 4 and 5 for registering fraudulent document and also seeks necessary direction to cancel the document No.5951 of 2013.

2. In view of the judgment passed by the Division Bench of this Court in ***M.Kathirvel Vs The Inspector General of Registration*** in ***W.P.Nos.10291 of 2022 and batch***, Section 77A of Registration Act is struck down and therefore, the prayer sought for cancellation of the document is not maintainable.



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3. It is open to the petitioner to move the Civil Court and establish that the document impugned in this writ petition is liable to be cancelled. In case petitioner gets decree from the Civil Court for cancellation of document on the plea of fraud, it is open to the petitioner to move the authorities for necessary consequential action.

4. With this observation, this writ petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

06.08.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1. The Inspector General of Registration,
Inspector General of Registration Office,
No.100, Santhome High Road,
Mailapore, Chennai-28.

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S.SOUNTHAR, J.
nr

- 2.The District Collector,
Villupuram District Collector Office,
Villupuram.
- 3.The District Registrar,
Dindivanam District Registration Office,
Villupuram.
- 4.The Sub-Registrar,
Avarapakkam Sub-Registration Office,
Villupuram.
- 5.The Village Administrative Officer,
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