



WEB COPY



W.P.No.26242 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.26242 of 2024

Mayangathal

...Petitioner

Vs.

1.The District Registrar
Tiruppur District Registrar Office
Tiruppur.

2.The Sub Registrar
Kunathur
Tiruppur District.

3.S.Nallasamy

4.K.Kaliammal

5.R.Palanisamy

6.R.Somasundaram

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 29.12.2022 and conduct the enquiry.

For Petitioner : Mr.J.Franklin



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For Respondents : Mr.T.Chezhiyan for R1 & R2
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents to consider her representation dated 29.12.2022 seeking cancellation of the release deed allegedly executed by the petitioner dated 22.08.2022.

2. It is the case of the petitioner that the above release deed in the name of the petitioner was created by playing fraud on the petitioner. Therefore, he submitted a representation before the respondents 1 & 2 seeking cancellation of the release deed registered on the file of the second respondent.

3. In view of the order 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, striking down Section 77 (A) of the Registration Act, which enabled the respondents 1 & 2 to cancel the registered document, there is no enabling provision as on today, empowering the respondents 1 & 2 to cancel the release deed.

4. Accordingly, the prayer sought for in this Writ Petition cannot



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be entertained. Hence, this Writ Petition stands dismissed. However, it is open to the petitioner to workout her remedy before the Civil Court. No costs.

09.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

To

- 1.The District Registrar
Tiruppur District Registrar Office
Tiruppur.
- 2.The Sub Registrar
Kunathur
Tiruppur District.



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S.SOUNTHAR, J.
dna

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