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W.P.No.29585 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.29585 of 2024  
and WMP.No.32243 of 2024

Annaikutty

... Petitioner

Vs.

1.The Principal Secretary and Commissioner,  
Land Administration,  
Chepauk, Chennai – 600 005.

2.The District Revenue Officer,  
Collectorate Office,  
Tiruvannamalai,  
Tiruvannamalai District.

3.The District Collector,  
Office of the District Collector,  
Tiruvannamalai,  
Tiruvannamalai District.

4.The Tahsildar,  
Office of the Tahsildar,  
Vandhavasi,  
Tiruvannamalai District.

5.G.Munusamy

6.Gunavathy

...

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Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 4 herein to take appropriate action on the petitioner's representation dated 17.07.2024 and conduct enquiry with reference to the petitioner's property situated at admeasuring extent of 0.49 cents in Patta No.401, property situated at Survey No.1194/4B and Survey No.1194/5B with an extent of 1.01 acres, situated in Maruthadu Village, Vandhavasi, Cheyaru Registration District, Tiruvannamalai District.

For Petitioner : Mr.M.Jaurudeen

For Respondent : Mr.P.Sathish  
Additional Government Pleader  
for R1 to R4

### **ORDER**

The petitioner herein seeks a direction to the respondents 1 and 4 to take appropriate action on the petitioner's representation dated 17.07.2024.

2. It is the case of the petitioner that 0.49 cents of land in Patta No.401, property situated at Survey No.1194/4B and Survey No.1194/5B with an extent of 1.01 acres, situated in Maruthadu Village, Vandhavasi, Cheyaru Registration District, Tiruvannamalai District was originally assigned in favour of petitioner's father Govindhan.

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3. The petitioner's father executed a settlement deed in his favour in Document No.3051 of 2013 dated 02.12.2013. Thus the petitioner claims right over the said property. It is further stated by the petitioner that the 5<sup>th</sup> respondent herein created a forged power deed, as if the petitioner executed a power in his favour and fraudulently sold the property in favour of the 6<sup>th</sup> respondent. Aggrieved by the same, the petitioner submitted a representation dated 17.07.2024 before the respondent seeking cancellation of the forged sale deed and power deed etc., the same has not been considered. Hence, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner submitted that the petitioner has not executed any power deed in favour of 5<sup>th</sup> respondent and hence, the sale deed executed by him in favour of 6<sup>th</sup> respondent is null and void.

5. In view of the order passed by the Division Bench of this Court in *M.Kathirvel vs. The Inspector General of Registration* reported



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in **Manu/TN/4032/2024**, Section 77-A of Registration Act, which enabled official respondents to cancel fraudulent document has been struck down and as on today there is no provision in Registration Act enabling official respondents to cancel registered documents assuming those document were forged or fraudulent.

6. Therefore, this Court is not inclined to entertain the writ petition and the same is dismissed. However liberty is given to workout his remedy before Civil Court.+

7. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**14.10.2024**

Index : Yes/No  
Speaking order: Yes/No  
Neutral Citation: Yes/No  
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**S.SOUNTHAR, J.**

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