



W.P. No. 25867 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P. No.25867 of 2024

and

W.M.P. No. 28232 of 2024

Chandrappa

..Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome Road,
Chennai – 600 028.

2.The District Registrar,
District Registrar Office,
Krishnagiri,
Krishnagiri District.

3.The Sub-Registrar,
Soolagiri SRO,
Soolagiri Main Road, Soolagiri,
Krishnagiri District.

4.P.V. Muniraj

5.Revathy

...Respondents



W.P. No. 25867 of 2023.

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to enquire and cancel the fraudulent Gift Deed and Sale Deed in the name of the 4th and 5th respondents and remove the entries in Book– I on the file of 3rd respondent pertaining to forged Gift Deed in Document No. 844 of 2019 dated 06.02.2019, Document No.4406/2019, dated 18.09.2019, Sale Deed Document No. 4835/2019 dated 11.10.2019 and all forged entries pertaining to property in Old S.No.12/2 New S.No.12/2A measuring 0 Acre 69 Cents situated at Seekanappalli Village, Soolagiri Taluk, Krishnagiri District by considering the petitioner's representation dated 17.06.2023.

For Petitioner : Mr. R. Saravana Kumar
For Respondents : Mr. P. Harish,
Government Advocate for RR1 to 3

ORDER

The petitioner herein seeks a direction to 2nd respondent to consider his representation dated 17.06.2023 seeking cancellation of gift deed dated 06.02.2019 and 18.09.2019 executed by mother of the 4th respondent in favour of 4th respondent and cancellation of sale deed executed by 4th respondent in favour of 5th respondent.



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2.The representation of the petitioner was submitted seeking cancellation of the registered documents by exercising power under Section 77A of Registration Act. The Division Bench of this Court in the case of ***M.Kathirvel Vs The Inspector General of Registration*** in ***W.P.Nos.10291 of 2022 and batch***, already struck down the relevant provision. Therefore, as on today, there is no provision in the Registration Act empowering the official respondents to cancel the registered documents. Therefore, this Court is not inclined to issue any direction to official respondents to consider the representation of the petitioner and accordingly, the writ petition stands dismissed. However, it is open to the petitioner to workout his remedy before the Civil Court. No costs. Consequently, the connected miscellaneous petition is closed.

05.09.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

1.The Inspector General of Registration,
No.100, Santhome Road,
Chennai – 600 028.

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Krishnagiri District.

3.The Sub-Registrar,
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S.SOUNTHAR, J.
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