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W.P.No.29233 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.29233 of 2024

R.Malathi

...Petitioner

Vs.

1.The Inspector General of Registration
O/o.Inspector General of Registration
No.100, Santhome High Road
Chennai 600 028.

2.The District Registrar (Administration)
Chennai (South)
O/o. District Registrar
Integrated Building for office of the Commercial
Taxes and Registration Department Pernpet
Nandanam, Chennai 600 035.

3.The Sub-Registrar
O/o.Sub-Registrar
Alandur, Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to disposal of the petitioner's complaint dated 19.02.2024 within a stipulated period fixed by this Court.



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W.P.No.29233 of 2024

For Petitioner : Mr.P.K.Ganesh

For Respondents : Mr.P.Harish for R1 to R3
Government Advocate

ORDER

The petitioner herein seeks a direction to the second respondent to dispose of her complaint dated 19.02.2024.

2. It is the case of the petitioner that the property situated in S.No.41, Door No.23, Plot No.426B, Alandur Sub-Registrar, Kancheepuram District, was purchased by the petitioner's husband Ramalingam under a registered sale deed with Doc.No.3212 of 2010 and the petitioner's husband died in the year 2015. The petitioner and her children are the legal representatives of the deceased Ramalingam. It is further stated by the petitioner that one Anbazhagan created a bogus document by impersonation in respect of the said property. Therefore, the petitioner submitted a representation before the second respondent on 19.02.2024 seeking cancellation of the bogus documents created by the said Anbazhagan.

3. It is stated by the leaned counsel for the petitioner that based on the complaint of the petitioner enquiry also conducted by the second



W.P.No.29233 of 2024

respondent and no final orders have been passed. Therefore, there shall be a direction to the second respondent to dispose of her complaint seeking cancellation of the registered documents on the ground that those documents were created by impersonation.

4. 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, as on today, there is no provision empowering the second respondent to cancel the registered documents.

5. In such circumstances, this Court is not inclined to issue any direction to the second respondent to consider the complaint of the petitioner. Accordingly, this Writ Petition is dismissed. However, it is open to the petitioner to workout her remedy before the Civil Court or any Competent Forum. No costs.

03.10.2024

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



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To

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S.SOUNTHAR, J.
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