



W.P.No.29591 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.29591 of 2024

Umapathy

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Pannitanapakkam,
Chennai – 600 028.

2.The Distirct Registrar,
Chengalpet Registration District,
No.10, Kancheepuram Highway,
Chengalpattu – 603 002.

3.The Sub Registrar Office,
Salavakkam Registration Office,
Salavakkam,
Kancheepuram District.

4.Nagarajan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to



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consider petitioner's representation dated 22.07.2024.

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For Petitioner : Mr.S.Ranjith Kumar

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader
for R1 to R3

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents 1 to 3 to consider his representation dated 22.07.2024.

3. It is the case of the petitioner that the property situated in S.No.144/2, Arumbuliyur Village, Orakattupettai Via, Uthiramerur Taluk, Kancheepuram District is classified as a water body in the revenue records. It is further stated by the petitioner that the 4th respondent has got a sale deed registered in his name in respect of the above mentioned property in Document No.1454 of 2008, dated 06.10.2008, Sub Registrar, Salavakkam.



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Therefore, the petitioner submitted a representation dated 22.07.2024 requesting the official respondents to take necessary action for cancellation of the sale deed registered in favour of the 4th respondent, the same has not been considered. Hence, the petitioner is before this Court.

4. Mr.T.Chezhiyan, learned Government Advocate, who is taking notice for the respondents 1 to 3 would submit that the respondents are not having any power to cancel the sale deed.

5. In view of the order passed by the Division Bench of this Court in *M.Kathirvel vs. The Inspector General of Registration* (W.P.No.10291 of 2022 etc., batch, dated 02.08.2024) striking down Section 77A of the Registration Act, the official respondents are not entitled to cancel the registered document. However, if registration of the document by the 3rd respondent violates Section 22A of Registration Act and the circular issued by the first respondent, it is always open to the first respondent to take disciplinary action against the officer who registered the document violating statutory provision. The first respondent is directed to



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consider the representation of the petitioner and pass final orders regarding the action to be taken in case of violation of Section 22-A of Registration Act or circular issued by the 1st respondent within a period of eight weeks from the date of receipt of copy of this order.

6. With the above directions, this writ petition is disposed of.

No costs.

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

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S.SOUNTHAR, J.

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