



WEB COPY



W.P.No.30123 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.30123 of 2024

R.Magesh

... Petitioner

Vs.

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

2.The District Registrar,
Registration District of South Chennai,
Combined Sales Tax and Registration Complex,
Veterinary Hospital Road,
Panpet, Nandanam,
Chennai – 600 035.

3.The Sub Registrar,
Padappai, K.R.Puram,
Padappai, Kancheepuram – 602 301.

4.V.Sekar
5.Bank of Maharashtra
Rep by its Branch Manager,
Mylapore Branch,
16, East Mada Street,
Mylapore, Chennai – 600 004.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to conduct/complete enquiry and pass suitable orders upon his representation dated 10.03.2021.

For Petitioner : No Appearance
For Respondents : Mr.M.Shahjahan
Special 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 conduct enquiry and pass suitable orders on his representation dated 10.03.2021 seeking cancellation of sale deed dated 10.04.2018 registered as Document No.1648 of 2018 on the ground that the same was a fraudulent document.



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3. 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) Section 77-A of the empowering the registering authority to cancel the document on the ground of fraud was struck down. As on date, there is no enabling provision empowering the registering authority, namely the respondents 1 to 3 to cancel the registered document.

4. In such circumstances, this Court is not inclined to issue any positive direction to the respondents to consider the representation of the petitioner dated 10.03.2021. Accordingly, this writ petition is dismissed. However, it is open to the petitioner to work out his remedy before the Civil Court in the manner known to law. No costs.

15.10.2024

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

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