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W.P.No. 36245 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 36245 of 2024
and W.M.P.Nos.39116 and 39118 of 2024

P.Murugan

...Petitioner

Vs.

1. The State of Tamil Nadu
Rep by its Secretary,
Registration Department
Chennai
2. The Inspector General of Registration,
No.100, Santhome High Road
Chennai – 600 028
3. The District Registrar (Administration)
Office of the District Registrar
Kallakurichi
4. The Sub-Registrar,
Office of the Sub Registrar, Sankarapuram
Kallakurichi Registration District,
Kallakurichi – 606 206
5. Sonasalam Gounder

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorari calling for all the connected and relevant records relating to the impugned order passed by the District Registrar (Administration), Office of the District Registrar, Kallakurichi, the 3rd Respondent herein in his proceedings Na.Ka.No.2913/AA4/2022 dated 25.08.2023 and Quash the same.

For Petitioner : Ms.S.Buvaneswari

For Respondents : M/s.C.Meera Arumugam
1 to 4 Additional Government Pleader

ORDER

Challenging the order passed by the 3rd respondent dated 25.08.2023 in and by which the 3rd respondent had cancelled the Sale Deeds executed by the petitioner, the petitioner is before this Court.

2. It is the case of the petitioner that he had purchased the property in question from one Ganapathy, who is the son of the 5th respondent. The petitioner had sold a portion of his property to various



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other persons through Sale Deeds registered as Document Nos.1152 of 2018 dated 05.04.2018, 213 of 2021 dated 20.01.2021, 2865 of 2022 dated 13.05.2022 and 3132 of 2022 dated 21.05.2022. It is the contention of the petitioner that based on the complaint lodged by the 5th respondent, the above said sale deeds have been cancelled by the 3rd respondent. Hence, the petitioner is before this Court.

3. The cancellation has been made on the strength of the provisions of Section 77-A of the Registration Act.

4. Since the matter is covered by the orders of the Division Bench of this Court in ***M.Kathirvel and Others Vs. Inspector General of Registration (2024 (4) CTC 769)***, this Court is not going into the facts of the case.

5. In the light of the judgment passed by the Division Bench of this Court reported in ***2024 (4) CTC 769 [M.Kathirvel and Others Vs. Inspector General of Registration]***, this unilateral cancellation is



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invalid. Accordingly, the Writ Petition is allowed. The impugned order dated 25.08.2023 is set aside. Consequently, connected miscellaneous petitions are closed. No costs.

05.12.2024

Index : Yes/No
Internet : Yes/No
srn

To,

1. The Secretary, State of Tamil Nadu
Registration Department
Chennai
2. The Inspector General of Registration,
No.100, Santhome High Road
Chennai – 600 028
3. The District Registrar (Administration)
Office of the District Registrar
Kallakurichi
4. The Sub-Registrar,
Office of the Sub Registrar, Sankarapuram
Kallakurichi Registration District,
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P.T. ASHA, J,

srn

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