



W.P.(MD)No.2833 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.2833 of 2023
and W.M.P.(MD)Nos.2625 and 2627 of 2023

T.Rajalakshmi
Rep. by her Power Agent
M.Thiyagarajan

... Petitioner

versus

1. The State of Tamilnadu,
Rep. by Inspector General of Registration,
Chennai.

2. The District Registrar (Administration),
Ramanathapuram District,
Ramanathapuram.

3. The Sub Registrar,
Sub Registrar Office,
Rameshwaram,
Ramanathapuram District.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the 2nd respondent in Na.Ka.No. 4310/Aa1/2022 dated 16.09.2022 and quash the same as illegal and consequently, direct the 2nd respondent to conduct enquiry and pass final orders on the representation of the petitioner dated 16.09.2022, within the time



W.P.(MD)No.2833 of 2023

stipulated by this Court.

WEB COPY

For Petitioner : Mr.P.M.Vishnuvarthanan
For R1 to R3 : Mr.P.Subbaraj,
Special Government Pleader

ORDER

This writ petition is filed as against the impugned order passed by the 2nd respondent in Na.Ka.No.4310/Aa1/2022 dated 16.09.2022, rejecting the request made by the petitioner.

2. The case of the petitioner is that the properties in Survey Nos.785, 786, 777, 778, 951, 627/162, 627/204 are the ancestral properties. But, the co-sharers, without her knowledge and without getting her signature, have alienated the properties including the share of the petitioner. Therefore, she gave a complaint on 16.09.2022 before the 2nd respondent seeking to cancel the documents registered by the co-sharers. But, the 2nd respondent, by the impugned proceedings dated 16.09.2022, rejected the request of the petitioner and directed to workout her remedy before the concerned Civil Court.

3. The Registering Authority has no power to cancel any registered



W.P.(MD)No.2833 of 2023

documents, as per the law laid down by the Hon'ble Supreme Court in ***Satya Pal Anand vs. State of Madhya Pradesh and others*** reported in (2016) 10 SCC 767 and also by this Court in ***G.Rajasulochana Vs. Inspector General of Registration and others*** (W.P.No.29706 of 2022). Therefore, this Court is of the view that the 2nd respondent has rightly rejected the request made by the petitioner.

4. It is submitted that the petitioner has already filed a partition suit in O.S.No.9 of 2009 against the co-sharers and the same was partly allowed by its Judgment and Decree 10.07.2019. Aggrieved over the same, the petitioner has filed an appeal suit in A.S.(MD)No.153 of 2022 and the same is pending before this Court. Therefore, the petitioner shall workout her remedy in the pending appeal suit in A.S.(MD)No.153 of 2022.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

29.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No.
ogy



WEB COPY



W.P.(MD)No.2833 of 2023

N.SATHISH KUMAR, J.

ogy

To

1. The Inspector General of Registration,
Chennai.
2. The District Registrar (Administration),
Ramanathapuram District,
Ramanathapuram.
3. The Sub Registrar,
Sub Registrar Office,
Rameshwaram,
Ramanathapuram District.

W.P.(MD)No.2833 of 2023

29.08.2024