



W.P.(MD)No.3725 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

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CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.3725 of 2023
and W.M.P.(MD)No.13667 of 2023

1. T.R.Chandramoorthy
2. T.R.C.Shyambabu
3. N.B.Naganandhini

... Petitioners

versus

1. The Inspector General of Registration,
Santhome High Road,
Chennai – 28.
2. The District Registrar (Administration),
(Deputy Inspector General of Registrar (In-charge),
Madurai South,
Madurai.

3. M.Jeganathan
 4. P.Arun
 5. Khouser Parveen
 6. G.Rajarathinam
 7. S.Sakthivel
- (Respondents 4 to 7 are impleaded vide
order dated 29.08.2024)

.... 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 2nd respondent in Na.Ka.No.9323/A2/2022 dated 03.01.2023 and quash the same and consequently direct the 2nd respondent to summon the 3rd respondent for enquiry based on the petitioner's complaint for cancellation of the



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power deed document No.742/1999 dated 24.03.1999 on the file of the Joint-I Sub Registration, Madurai South.

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For Petitioner : Mr.M.S.Sureshkumar
For R1 and R2 : Mr.P.Subbaraj,
Special Government Pleader

ORDER

This writ petition is filed challenging the impugned order passed by the second respondent in Na.Ka.No.9323/A2/2022 dated 03.01.2023.

2. The first petitioner is the father of the petitioners 2 and 3. The subject property originally belonged to one Alagammal, from whom, one C.Thulasi Birundha, who is the wife of the first petitioner, purchased the same, vide a registered Document No.3400/1989 dated 13.11.1989. After her death, the petitioners are in possession and enjoyment of the property. While so, the 3rd respondent has executed a fraudulent general power deed vide Document No. 742/1999 dated 24.03.1999 and attempted to sell the said property to various parties. Therefore, the first petitioner has lodged a complaint before the second respondent seeking to cancel the power deed document No.742/1999 dated 24.03.1999 on the ground that the said power deed is a forged one. However, the second respondent, by impugned order dated 03.01.2023, rejected the request of the first petitioner and directed the parties to workout their remedy before the concerned Civil Court. Challenging the same, the present writ petition has been



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

4. Whether the power deed dated 24.03.1999 is a forged document or not, is a matter of evidence to be decided only by the competent Civil Court. Further, without any foundational facts, the 2nd respondent cannot insist to go into those issues. Therefore, I do not find any merits in the writ petition.

5. Accordingly, this writ petition is dismissed. The parties shall workout their remedy before the concerned Civil Court. No costs. Consequently, connected miscellaneous petition is closed.

29.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No.
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N.SATHISH KUMAR, J.

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To

1. The Inspector General of Registration,
Santhome High Road,
Chennai – 28.
2. The District Registrar (Administration),
(Deputy Inspector General of Registrar (In-charge),
Madurai South,
Madurai.

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