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W.P(MD) 12702 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Writ Petition (MD) No.12702 of 2024

N.Udhayakumar

... Petitioner

-Vs-

1.The District Registrar,
Pudukkottai Registration Department,
Pudukkottai.

2.The Sub Registrar,
Kulathur Sub Registration Division,
Kulathur @ Keeranur – 622 502,
Pudukkottai District.

3.A.Mathivanan

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to cancel the sale deed in Doc No.768 of 2000 dated 31.03.2000 on the file of the second respondent by considering the petitioner's representation dated 15.12.2023 after giving opportunity to the petitioner and the third respondent within the time fixed by this Court.

For Petitioner : Mr.V.Karthikeyan

For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader for R1 & R2

: Mr.B.Muneeswaran for R3



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ORDER

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Heard both sides.

2.Pursuant to the notice issued by this Court, the third respondent has filed counter affidavit conceding the petitioner's prayer. The third respondent has gone to the extent of stating that he himself had sent representation for cancelling the Doc No.768/2000 on the file of the second respondent. It is well settled that once a document has been registered, the registering authority cannot cancel the same. Hence, declaration is issued that Doc No.768 of 2000 dated 31.03.2000 is null and void. The second respondent is directed to make appropriate entries in the encumbrance register in this regard.

3.This writ petition is allowed on these terms. No costs.

10.07.2024

Index : Yes/No
Internet : Yes/No
SKM



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To
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Pudukkottai Registration Department,
Pudukkottai.
- 2.The Sub Registrar,
Kulathur Sub Registration Division,
Kulathur @ Keeranur – 622 502,
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G.R.SWAMINATHAN, J.

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