



W.P.(MD)No.16423 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.16423 of 2022

Balasubramanian

... Petitioner

Vs.

- 1.The Deputy Inspector General of Registration,
Registration Department,
Government Multi Stored Building 2nd Floor,
Race Course Road,
Kajamalai Colony,
Edamalaipatti Pudur,
Trichy.
- 2.The District Registrar,
District Registrar Office,
Cantonment (Joint -1) Sub Registrar Office Campus,
Cantonment, Trichy.
- 3.The Sub Registrar,
Joint -III Sub Registrar Office,
Malaikottai, Trichy.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to conduct the enquiry upon the representation of the petitioner dated 20.04.2022 in the light of the Circular issued by the Inspector General of Registration, Chennai vide his letter No. 41530/U1/2017 dated 31.07.2018



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For Petitioner : Mr.K.Sivabalan
For Respondents : Mr.P.Subbaraj,
Spl. Govt. Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the 2nd respondent to conduct enquiry upon the representation of the petitioner dated 20.04.2022 in the light of the Circular issued by the Inspector General of Registration, Chennai vide his letter No. 41530/U1/2017 dated 31.07.2018.

2. It is the case of the Writ Petitioner that the subject property originally belonged to his brother and later, he executed a settlement deed in favour of the petitioner. Thereafter, the petitioner executed a general power of attorney in favour of one Rajmohan. Based on the said power of attorney, the said Rajmohan transferred the entire subject property by way of registered sale deed dated 10.02.2020. Hence, the petitioner made a representation dated 20.04.2022 to the 1st respondent requesting to conduct an enquiry. However, the said representation was not considered by the respondents till date. Hence, the petitioner has filed this Writ Petition.



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3. The respondents have not filed counter affidavit.

4. Heard the submissions made by the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

5. Considering the facts and circumstances of the case, this Court is of the view that as the Registering Authority has no power to cancel the document as declared by the Hon'ble Supreme Court in *Satya Pal Anand vs. State of Madhya Pradesh and others* reported in (2016) 10 SCC 767, there is no purpose in directing the authorities to conduct an enquiry upon the representation of the petitioner.

6. In such view of the matter, the prayer sought for by the petitioner cannot be granted and the Writ Petition is liable to be dismissed. Accordingly, this Writ Petition is dismissed. It is for the petitioner to work out his remedy before the competent civil Court. There shall be no order as to costs.

vsm

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NCC : Yes/No

Index : Yes/No

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N.SATHISH KUMAR, J.

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To

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