



W.P(MD)No.19726 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.19726 of 2023

1.V.Vijayakumar
2.S.Hemalatha

... Petitioners

Vs.

1.The Inspector General of Registration,
No.100, Santhome Main Road,
Mylapore, Chennai – 600 004.

2.The District Registrar,
District Collector Office Complex,
Karur – 639 002.

3.The Sub Registrar,
Kulithalai, Karur District.

4.N.Ramachandran

5.N.Kamalakannan

6.N.Prabhakaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent herein to conduct enquiry and pass orders on the petitioners' representation dated 10.12.2022 at an earliest.

For Petitioners : Mr.G.Chandrasekar

For R1 to R3 : Mr.P.Subbaraj

Special Government Pleader



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ORDER

The petitioners seek a direction to the 2nd respondent to conduct enquiry and cancel the forged partition deed dated 28.11.2012 based on the petitioners' representation dated 10.12.2022.

2.At the outset, this Writ Petition is not maintainable, since the registering authority has no power to cancel the document already registered, as the very Section 77(A) inserted under Registration Act is struck down by the Division Bench of this Court in W.P.No.10291 of 2022 batch. That apart the issue of title and fraudulent transaction cannot be gone into by the authorities, which has to be established in the manner known to law before the civil Court in view of the decisions rendered in the case of *Satya Pal Anand v. State of M.P.*[2016 10 SCC 767] and *G. Rajasulochana v Inspector General made in W.P 29706 of 2024 dated 16.04.2024*. Accordingly, this Writ Petition is dismissed. No costs.

19.09.2024

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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