



W.P(MD)No.21322 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM :

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P(MD)No.21322 of 2023

and

W.M.P.(MD)No.17727 of 2023

Rengapathagadevi

...Petitioner

Vs.

1.The Inspector General of Registration,  
Director General of Registration Office  
No.100, Santhom Highway,  
Chennai-28.

2.The District Registrar,  
District Registrar Office,  
Pudukkottai and District.

3.The Sub Registrar,  
Joint 1, Sub Registrar Office,  
Pudukkottai, Pudukkottai District.

4.Alamelu

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the proceedings in Na.Ka.No.734/A2/2023, dated 03.08.2023 passed by the 2<sup>nd</sup> respondent herein and quash the same.



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For Petitioner : Mr.R.Paranjothi,  
for M/s.KBS Law Office  
For R1 to R3 : Mr.C.Satheesh,  
Government Advocate  
For R4 : Mr.N.Balakrishnan

### **ORDER**

Challenge has been made to the order of the 2<sup>nd</sup> respondent, dated 03.08.2023, cancelling the sale deed executed in favour of the petitioner.

2.It is the case of the petitioner that she purchased the land in S.F.No.194/5B2 situated at Pudukkottai South Village, Pudukkottai District on 17.05.2022 from one Rasamma, Devi, Sathya Priya and others and the same has also been registered vide Document No.3074/2022. Since then, she is in possession and enjoyment of the same. In such circumstances, one Subramanian, who is the relative of the 4<sup>th</sup> respondent, has given a complaint to the 2<sup>nd</sup> respondent to cancel the sale deed registered in favour of the petitioner. Pursuant to the same, the 2<sup>nd</sup> respondent conducted an enquiry and cancelled the sale deed dated 17.05.2022 executed in favour of the petitioner, vide order dated 03.08.2023. Aggrieved by the same, the petitioner has filed this Writ Petition.



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3.This Court is of the view that merely because a person has raised some title dispute, it cannot be a ground to cancel the document already registered. 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. Further, the Registrar has no power to cancel the document already registered as per *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.*

4.In such view of the matter, the impugned order of the 2<sup>nd</sup> respondent, dated 03.08.2023 is quashed. This Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**05.09.2024**

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

*Yuva*



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To

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**N.SATHISH KUMAR, J**

*Yuva*

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