



W.P(MD)No.25257 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM :

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

W.P(MD)No.25257 of 2024

A.Lilly

... Petitioner

Vs.

- 1.The District Collector,  
Virudhunagar District, Virudhunagar.
- 2.The District Registrar / The Office of the  
District Registrar,  
No.58/1, Cutchery Road, Virudhunagar-626001.
- 3.The Sub Registrar / The Office of the Sub Registrar,  
Srivilliputhur, 5.273, Colony, Kunnur,  
Virudhunagar-626 138, Virudhunagar District.
- 4.The Tahsildar,  
Srivilliputhur, Virudhunagar District.
- 5.The Superintendent of Police,  
Virudhunagar District Police Department,  
Virudhunagar.

6.Leemaros

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation dated 20.08.2024 within reasonable time limit fixed by this Court to revoke or to cancel the petitioner Document



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bearing No.1/3129 of 2021, registered on 27.10.2021 before the office of the Sub Registrar, Srivilliputhur in favour of the 1<sup>st</sup> respondent and to further direct the 4<sup>th</sup> respondent to immediately take step to transfer the land records from the 1<sup>st</sup> respondent's name to the petitioner's name and subsequently, to direct the respondents 4 to 6 to act in accordance with law to ensure necessary amendments to transfer the patta to the petitioner name and to ensure necessary protection to the petitioner to lead a rest in normal peaceful life at this stage.

For Petitioner : Mr.S.K.Samy  
For R1 to R4 : Mr.P.Subbaraj,  
Special Government Pleader  
For R5 : Mr.M.Vaikkam Karunanithi,  
Government Advocate (Crl.Side)

### **ORDER**

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.The petitioner seeks a direction to the respondents 2 and 3 to cancel the Document bearing No.1/3129 of 2021, registered on 27.10.2021 before the office of the Sub Registrar, Srivilliputhur in favour of the 1<sup>st</sup> respondent.

3.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



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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.

**24.10.2024**

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

*Yuva*

To

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**N.SATHISH KUMAR, J**

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