



W.P(MD)No.21932 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.21932 of 2023

and

W.M.P.(MD)No.18303 of 2023

- 1.Lalitha Sankaran
- 2.Shreedharan
- 3.M.Lakshmanan
- 4.Usharani Sridhar

... Petitioners

Vs.

- 1.The Inspector General of Registration,
Santhome Road, Mylapore, Chennai-4.
- 2.The District Registrar,
Thiruchirappalli, Trichy-1.
- 3.The Sub Registrar,
Srirangam Sub Registration,
Srirangam, Trichy-5.
- 4.Sagadevan
- 5.Maheswari
- 6.Sachin Sundar
- 7.Parthasarathy
- 8.Sumathi
- 9.A.Sankaran
- 10.Kungumavalli
- 11.Manikandan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to de-index and cancel the illegal registration of following documents viz., Doc.Nos. 1) 1623/2014, dated 02.07.2014, 2) 2052/2014, dated 08.08.2014, 3) 649/2019, dated 20.03.2019, 4) 1567/2019, dated 08.07.2019, 5) 1976/2020, dated 14.09.2020, 6) 318/2020, dated 10.02.2020 by considering the petitioner's representation dated 08.04.2023 sent on 12.04.2023 and pass appropriate orders within a time stipulated by this Court.

For Petitioners : Mr.S.Vashik Ali

For R1 to R3 : Mr.M.Siddharthan,
Additional Government Pleader

For R4 & R5 : Mr.L.G.Sahadevan

For R6 to R11 : No Appearance

ORDER

The petitioner seeks a direction to the respondents 1 to 3 to de-index and cancel the illegal registration of following documents viz., Doc.Nos. 1) 1623/2014, dated 02.07.2014, 2) 2052/2014, dated 08.08.2014, 3) 649/2019, dated 20.03.2019, 4) 1567/2019, dated 08.07.2019, 5) 1976/2020, dated 14.09.2020, 6) 318/2020, dated 10.02.2020, by considering the petitioner's representation dated 08.04.2023 sent on 12.04.2023 and pass appropriate orders within a time stipulated by this Court.



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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. Consequently, connected miscellaneous petition is closed.

19.09.2024
(2/2)

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

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To

- 1.The Inspector General of Registration,
Santhome Road, Mylapore, Chennai-4.
- 2.The District Registrar,
Thiruchirappalli, Trichy-1.
- 3.The Sub Registrar,
Srirangam Sub Registration,
Srirangam, Trichy-5.



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