



W.P.(MD)No.24267 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24267 of 2024

Thangamurugeswari

... Petitioner

Vs.

1.The Inspector General of Registration,
Registration Department,
Government of Tamil Nadu,
100, Santhome High Road,
Chennai-600 028.

2.The Deputy Inspector General of Registration,
Registration Department,
Government of Tamil Nadu, Tirunelveli District.

3.The District Registrar of Societies,
O/o. District Registrar,
Registration Office Building,
Thoothukudi District.

4.R.Umayavel Arumuganathan

5.U.S.G.Perumal @ Parthiban

6.Gnanasambanthan

... 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 to consider the petitioner's representation dated 06.05.2024 and to take action.



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For Petitioner : Mr.J.Joseph Zinoson,
for M/s.K.Win Law Associates
For R1 to R3 : Mr.P.Subbaraj,
Special Government Pleader

ORDER

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

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondents 1 to 3. Considering the nature of order going to be passed in this Writ Petition, notice to the respondents 4 to 6 is dispensed with.

3.It is the grievance of the petitioner that her representation dated 06.05.2024, seeking cancellation of the Document SI.No.25 of 2005, has not been considered so far by the respondents. Therefore, she has filed this Writ Petition.

4.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. It is for the petitioner to workout her remedy in the competent civil Court in the manner known to law. No costs.

16.10.2024

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

Yuva

To

- 1.The Inspector General of Registration,
Registration Department,
Government of Tamil Nadu,
100, Santhome High Road,
Chennai-600 028.
- 2.The Deputy Inspector General of Registration,
Registration Department,
Government of Tamil Nadu, Tirunelveli District.
- 3.The District Registrar of Societies,
O/o. District Registrar,
Registration Office Building,
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N.SATHISH KUMAR, J.

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