



WP(MD). No.20902 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 06/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

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R.Aniteen Princy,,

... Petitioner

Vs

1. The Inspector General Of Registration,
O/o the Inspector General of Registration,
Chennai - 28..

2. The District Registrar,
District Registrar Office,
Near Lakshmana Marriage Hall,
Nagercoil,
Kanyakumari District.

3. The Sub Registrar,
Rajakkamangalam Sub Registrar Office,
Rajakkamangalam, Kanyakumari District.

4. A.Brixton,
S/o P.T.Alexsander, No.42/190, Holy
Church St., Mela Ramanputhooor,
Nagercoil, Agastheeswaram Tk.,
Kanyakumari District.

... Respondents



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PRAYER :-Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the z respondent No. 2 to conduct enquiry regarding the fraudulent registration of General Power of Attorney vide Document No.18/2005 dated 11.08.2016, Rajakkamangalam Sub Registrar Office in respect of the petitioners property to an extent of 9.516 cents in S.No.H.1-10/10, Neendakarai A East Village, Agastheeswaram Tk., Kanyakumari Dt in accordance with the procedure contemplated in Circular in Letter No.41530/U1/2017 dated 08.11.2017 on the file of the respondent No.1 within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar for
M/s.T.Lajapathi Roy Associates
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed for a mandamus to direct the respondent No.2 to conduct enquiry regarding the fraudulent registration of General Power of Attorney vide Document No.18/2005 dated 11.08.2016, Rajakkamangalam Sub Registrar Office in respect of the petitioners property to an extent of 9.516 cents in S.No.H.1-10/10, Neendakarai A East Village, Agastheeswaram Tk., Kanyakumari Dt in accordance with the procedure contemplated in Circular in Letter No. 41530/U1/2017 dated 08.11.2017 on the file of the respondent No.1



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within the time period stipulated by this Court.

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2. It is the grievance of the petitioner that the property is settled in favour of the petitioner by his father on 09.03.2012. However, on 11.08.2016, a fraudulent registration has been taken place pursuant to the power of attorney in favour of the respondent No.4, which according to the petitioner is a fraudulent transaction and seeks action. Therefore, the petitioner has sent a representation to the respondents and since the same has not been considered so far, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

4. At the outset, this Court is of the view that the relief sought for by the petitioner cannot be maintained. In **G. Rajasulochana v Inspector General** made in W.P 29706 of 2024 dated 16.04.2024, this Court has elaborately dealt with the issue of fraudulent registration. That apart, Section 77A introduced under the Registration Act also struck down by the Division Bench of this Court. Hence, the registering



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authority has no power to cancel any fraudulent transaction.

Accordingly, the writ petition is dismissed. No costs.

06.08.2024

RR

TO

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Chennai - 28..

2. The District Registrar,
District Registrar Office,
Near Lakshmana Marriage Hall,
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3. The Sub Registrar,
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Rajakkamangalam, Kanyakumari District.



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N.SATHISH KUMAR,J

**ORDER
IN
WP(MD) No.20902 of 2018**

Date : 06/08/2024