



W.P.(MD) No.12535 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.12535 of 2017

Seeni Gowtham

... Petitioner

/vs./

1.The District Registrar,
Madurai South District Registrar Office,
Palace Road,
Madurai.

2.The Sub Registra,
Sub Registrar Office,
Thirumangalam,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to cancel the document No.6710 of 2015 dated 23.11.2015 on the file of the 2nd respondent by considering the representation dated 04.01.2017 within a stipulated time pending disposal of the above Writ Petition.

For Petitioner : Mr.C.M.Arumugam



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For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

The writ petition has been filed seeking for a direction to the first respondent to cancel the document No.6710 of 2015 dated 23.11.2015 on the file of the second respondent by considering the representation dated 04.01.2017.

2. The Hon'ble Supreme Court in the case of *Satya Pal Anand Vs. State of M.P. and others* reported in **2016 10 SCC 767**, has categorically held that the Registering Authority cannot cancel the document, which has already been registered by them except pursuant to a decree of the civil Court and had given liberty to the respective parties to approach the civil Court for remedying their grievances. In the present case, the petitioner had sought for a direction to consider his representation to cancel the document No.6710 of 2015 dated 23.11.2015.

3. In view of the aforesaid judgment, the prayer sought for in this writ petition cannot be entertained. However, liberty is given to the petitioner to



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approach the appropriate civil Court seeking remedy in the manner known to law.

If the petitioner approaches the civil Court, the period of pendency of this writ petition shall be excluded in calculating the period of limitation.

4. The Writ Petition stands disposed of with such liberty. However, there shall be no order as to costs.

Index : Yes / No
Internet : Yes / No
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22.11.2024

To

1.The District Registrar,
Madurai South District Registrar Office,
Palace Road,
Madurai.

2.The Sub Registra,
Sub Registrar Office,
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K.KUMARESH BABU, J.

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