



Writ Petition No.2774 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2774 of 2025

Basamma

W/o.Late Seenappa

... Petitioner

Vs.

1.The District Registrar,
Krishnagiri.

2.The Sub Registrar,
Shoolagiri,
Krishnagiri District.

3.Duraisamy
S/o.Nagalappa Naidu

4.P.Velayudham
S/o.Palani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to cancel the sale deed No.7267/2022 dated 23.11.2022 based on the representation letter dated 21.05.2023.

For Petitioner : Mr.M.G.Janaki Raman

For Respondents : Mr.M.Shahjahan
Special Government Pleader [R1 & R2]



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to consider the representation made by the petitioner on 21.05.2023 wherein the petitioner is seeking for cancellation of the sale deed dated 23.11.2022 registered as document No.7267 of 2022.

2. Heard Mr.M.G.Janaki Raman, learned counsel for petitioner and Mr.M.Shahjahan, learned Special Government Pleader appearing for respondents 1 and 2.

3. In the considered view of this Court, the only power that was available for cancellation of a document was under Section 77-A of the Registration Act, 1908. This provision has been struck down by this Court in the decision in ***M.Kathirvel and others v. Inspector General of Registration [2024 (4) CTC 769]***.

4. In view of the same, as on today, there is no power available for cancellation of any document and in the absence of the same, a mandamus cannot be issued. Hence, it is left open to the petitioner to



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approach the competent civil Court and seek for such cancellation of document and work out the remedy in the manner known to law.

This writ petition is disposed of with the above direction. No costs.

05.02.2025

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

1.The District Registrar,
Krishnagiri.

2.The Sub Registrar,
Shoolagiri,
Krishnagiri District.



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N.ANAND VENKATESH, J

gm

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