



WEB COPY



Writ Petition No.2775 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.2775 of 2025

&

W.M.P.No.3105 of 2025

S.Ankaian

S/o.Swamynathan

... Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2. The Sub-Registrar.
Sunguvarchatram Sub-Registrar Office,
Sunguvarchatram, Kancheepuram District.

3. Mr.Balakrishnan
S/o.Raghavalu Naidu

4. B.Chandran
S/o.Balakrishnan

5. B.Vijayarangan
S/o.Balakrishnan

6. B.Deenadayalan
S/o.Balakrishnan

7. V.Saravanan
S/o.Vedhagiri

... Respondents



Writ Petition No.2775 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to issue direction to the second respondent to take appropriate action to revoke the illegal Sale Deed of petitioner's property executed by Respondents 3 to 6 vide Sale Deed Document No.303/2011 dated 09.03.2011 in favour of 7th respondent Mr.Saravanan through 2nd respondent's office in stealthy manner by declaring void with regard to the petitioner's property situated at Thiruvallur Taluk, Narasamangalam Village in Punja Survey No.36/14 to an extent of 0.36 cents thereon on the petitioner's representation dated 26.02.2024.

For Petitioner : Mr.R.Balasubramanian

For Respondents : Mr.B.Vijay
Additional Government Pleader
[R1 & R2]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to cancel/revoke the sale deed dated 09.03.2011 registered as document No.303/2011 based on the representation made by the petitioner on 26.02.2024.

2. Heard Mr.R.Balasubramanian, learned counsel for petitioner and Mr.B.Vijay, learned Additional Government Pleader appearing for respondents 1 and 2.



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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 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. Consequently, connected miscellaneous petition is closed.

05.02.2025

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



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N.ANAND VENKATESH, J

gm

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.
2. The Sub-Registrar.
Sunguvarchatram Sub-Registrar Office,
Sunguvarchatram, Kancheepuram District.

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