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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4985 of 2025

Rani

... Petitioner

Vs.

1.The District Registrar (Administration),
Dharmapuri District.

2.The Sub Registrar,
Karimangalam,
Dharmapuri District.

3.Maheshwari

4.Mani

5.Prabavathi

6.Nagalakshmi

7.Thamarai Selvan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider petitioner's representation dated 20/12/2024 for canceling sale deed documents 114 /2017 and 1814/2020 registered before the 2nd respondent office.



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For Petitioner : Mr.M.Ravi

For Respondents : Mr.U.Baranidharan
Special Government Pleader
for R1 & R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to dispose of the representation dated 20.12.2024, wherein, the petitioner is seeking for cancellation of the Sale Deed registered before the 2nd respondent.

2.Heard Mr.M.Ravi, learned counsel appearing on behalf of the petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing on behalf of the respondents 1 & 2.

3.In the considered view of this Court, the power to cancel the registered documents was available to the District Registrar only under Section 77A of the Registration Act. The Division Bench of this Court in the judgement in ***M.Kathirvel vs. The Inspector General of Registration, Department of Registration and others*** reported in ***2024 4 CTC 769*** has already held that the



provision is unconstitutional and it has been struck down. In view of the same, there is no power available for the 1st respondent to cancel any registered documents. In view of the same, no useful purpose will be served in directing the 1st respondent to deal with the representation made by the petitioner. In view of the same, it is left open to the petitioner to workout her remedy in the manner known to law before the competent Civil Court.

4.This writ petition is disposed of in the above terms. No Costs.

19.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The District Registrar (Administration),
Dharmapuri District.

2.The Sub Registrar,
Karimangalam,
Dharmapuri District.



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N. ANAND VENKATESH, J.

SSI

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