



WEB COPY



Writ Petition No.5176 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.5176 of 2025

P.Jayanthi

W/o.K.Pachaiappan (late)

...Petitioner

Vs.

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

2.The District Registrar,
District Registration Office,
Near ICMR,
Thiruvallur - 631 203.

3.The Sub-Registrar,
Thiruvalangadu Sub-Registrar Office,
Thiruvalangadu,
Thiruvallur District.

4.S.Paramasivam
S/o.Subramani

5.S.Sadhasivam
S/o.Subramani

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 04.01.2025 to cancel the sale deed registered as Doc.No.776 of 2003 dated 18.06.2003 on the file of the third respondent Sub-Registrar Office.

For Petitioner : Mr.S.Kalaivanan

For Respondents : Mr.U.Baranidharan
Special Government Pleader
[R1 to R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 to 3 to deal with the representation dated 04.01.2025 wherein the petitioner has sought for cancellation of the sale deed dated 18.06.2003 registered as document No.776/2003 on the file of third respondent.

2. Heard Mr.S.Kalaivanan, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondents 1 to 3.

3. The power of cancellation of document was available under



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Section 77-A of the Registration Act and this provision has been struck down by the Division Bench of this Court in the decision in ***M.Kathirvel and others v. Inspector General of Registration [2024 (4) CTC 769]***. Therefore, as on today, the authority does not have the power to cancel any document. If at all the petitioner is aggrieved, the petitioner has to necessarily work out her remedy before the competent civil Court. Except giving this liberty, no further orders can be passed in this writ petition.

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

19.02.2025

Neutral citation: Yes/No

Index : Yes/No

Speaking Order / Non Speaking Order

gm

N. ANAND VENKATESH, J

gm



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