



W.P.No.10139 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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DATED : 28.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P.No.10139 of 2025**

B.Roja

.. Petitioner

**Vs.**

1.The District Registrar,  
Puducherry.

2.The Sub Registrar (Admin),  
Puducherry.

3.UmaParvady

4.Lakshmi

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1<sup>st</sup> respondent to consider the petitioners representation dated 02.09.2024 requesting to cancel the rectification deed executed by the 4<sup>th</sup> respondent in favour of the 3<sup>rd</sup> respondent dated 29.11.2021 registered as document Nos.29391, 29392, 29393, 29394, 29399, 29400, 29401 and 29402 of 2024 on the file of the 2<sup>nd</sup> respondent within the time stipulated.

|                |   |                                   |
|----------------|---|-----------------------------------|
| For Petitioner | : | Mr.M.Devaraj                      |
| For RR 1 & 2   | : | Mr.A.Tamilvanan                   |
|                |   | Additional Government Pleader (P) |



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## **ORDER**

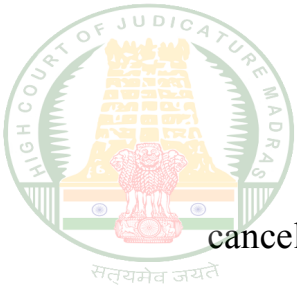
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This writ petition has been filed for the issue of writ of mandamus directing the 1<sup>st</sup> respondent to consider the representation made by the petitioner on 02.09.2024, wherein the petitioner is seeking for cancellation of the rectification deed dated 29.11.2021 executed by the 4<sup>th</sup> respondent in favour of the 3<sup>rd</sup> respondent and which was registered in the name of the 2<sup>nd</sup> respondent.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 & 2.

3.In the considered view of this Court, the only power that was available to the 1<sup>st</sup> respondent was traceable to Section 77A of the Registration Act. This provision was held to be unconstitutional by the Division Bench of this Court in ***M.Kathirvel Vs. Inspector General of Registration*** reported in ***[(2024) 4 CTC 769]***.

4.In view of the same, even if a direction is issued to the 1<sup>st</sup> respondent, the 1<sup>st</sup> respondent does not have the power or jurisdiction to



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cancel any registered document. Hence it is left open to the petitioner to move the competent Civil Court and seek for appropriate remedy and proceed further in accordance with law. Except giving this clarity, no further orders can be passed in this writ petition.

5.In the result, this Writ Petition is disposed of in the above terms.

No costs.

**28.03.2025**

krk

Index : Yes / No  
Internet : Yes / No  
Neutral Citation : Yes / No

To

- 1.The District Registrar,  
Puducherry.
- 2.The Sub Registrar (Admin),  
Puducherry.



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**N.ANAND VENKATESH, J.**

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