



WEB COPY

WP No. 14796 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 14796 of 2025

Pappu Reddy

Petitioner(s)

Vs

1. The Inspector General Of
Registration
100 Santhome High Road, Chennai
600 004.

2.The District Registrar (West)
Salem

3.The Sub Registrar
Edapadi Sub Register Office,
Edappadi, Salem District

4.PALANISAMY
S/o. Late Sadayagounder, Avaniyur
West Street, Vellarnaickenapalaym,
Avaniperur Melmugam Village,
Idappadi Taluk, Salem District

5.Sundararaj P
S/o. Palanisamy



Vellaranaickenpalayam Periy Athotam,
Avaniperur Melmugam Villae,
Idappadi Taluk, Salem District

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6.Govindaraj P
S/o. Palanisamy
Vellaranaickenpalayam Periya Thotam,
Avaniperur Melmugam Villae,
Idappadi Taluk, Salem District

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Mandamus directing the 2nd respondent to consider the petitioners representation dated 27.08.2022, 29.09.2022 and 26.09.2024 on par with section 68(2) of Registration Act 1908 and in terms of the 1st respondent circular dated 08.11.2017 in Letter no. 41530/U1/2017 and 09.07.2021 in Letter no. 20217/U1/2021 and mark necessary entries in the books maintained by the 3rd respondent in respect of Doc no. 1762/2008 and 1891/2008 dated 04.07.2008 respectively for the purpose of reflecting in the encumbrance certificate and pass orders.

For Petitioner(s): Mr.R.Marudhachalamurthy
For Respondent(s) Mr.U.Baranidharan
Special Government Pleader for
R1 to R3



ORDER

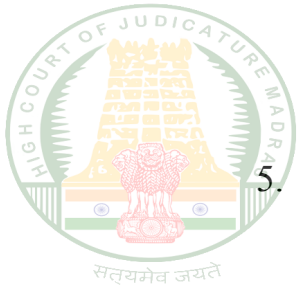
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This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to deal with the representation made by the petitioner wherein the petitioner is seeking for the cancellation of certain documents and for removal of entries made in the encumbrance certificate in line with Section 68 (2) of the Registration Act.

2. Heard Mr.R.Mardhachalamurthy, learned counsel for the petitioner and Mr.U.Baranidharan, learned Special Government Pleader for respondents 1 to 3.

3. In the considered view of this Court, the relief as sought for by the petitioner cannot be granted by this Court, since there is no power vested with the 2nd respondent under Section 68(2) of the Registration Act. The scope of Section 68(2) of the Registration Act was gone into by the Division Bench of this Court in *Dr.P.V.R.K. Anjaneeya Guptha vs. M.Anbazhagan and others* reported in **2024 4 CTC 1** wherein it was held that the said provision cannot be held to confer such powers to enable the declaration of document as null and void.

4. In view of the above, it is left open to the petitioner to challenge the registered documents in the manner known to law before the competent Court.



5.

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.

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