



W.P. No.7967 of 2016

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM:

THE HON'BLE MR. JUSTICE SUNDER MOHAN

W.P. No.7967 of 2016
and W.M.P. No.7095 of 2016

A. Chandra Kumar S/o. Arumugam

... Petitioner/Accused

Vs.

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

2. The District Registrar,
Namakkal Registrar Office,
Namakkal District.

3. The Sub-Registrar,
Komarapalayam Registrar Office,
Namakkal District.

4. Chinappa Gounder,
Veppadai,
Thiruchengodu Taluk and Town,
Namakkal District.

5. C. Sukumar S/o. Chinappa Gounder,
Veppadai,
Thiruchengodu Taluk and Town,
Namakkal District.



W.P. No.7967 of 2016

WEB COPY

6. S. Surendiran S/o. Seetharaman,
Secretary-Bhavani Komarapalayam Agraharam Village,
Thiruchengodu Taluk and Town,
Namakkal District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the order passed by the 2nd respondent dated 23.12.2015 in proceedings number i.e., sey.mu.aa.No.852/aa1/2015 and quash the same.

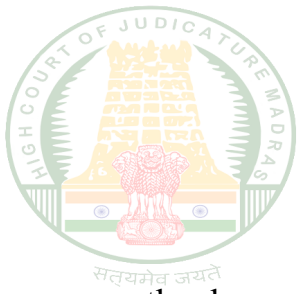
For Petitioner : Mr. N. Vijaya Baskar [No appearance]

For Respondent : Mr. P. Harish
Government Advocate [for R1 to R3[]]

ORDER

The writ petition has been filed for a Writ of Certiorari calling for the records relating to the order passed by the 2nd respondent dated 23.12.2015 in proceedings number i.e., sey.mu.aa.No.852/aa1/2015 and quash the same.

2. 2. The learned counsel for the petitioner submitted that by impugned order dated 23.12.2015, though the District Registrar/2nd respondent has observed that the document bearing No.8678 of 2013 dated 26.11.2013, which was executed by the petitioner, is liable to be cancelled and had directed the parties to approach the Civil Court, since the 1st respondent has sent a circular, not to cancel



W.P. No.7967 of 2016

the documents pursuant to the interim orders passed by this Court.

3. The learned counsel for the petitioner further submitted that the petitioner had filed a suit in O.S.No.299 of 2015 before the District Munsif Court, Tiruchengode and the suit was decreed on 22.12.2015 i.e., one day before the impugned order was passed. Hence, the impugned order making an observation that Document No.8678 of 2013, deserves to be cancelled, is liable to be set aside.

4. The learned Government Advocate appearing for the respondents would submit that pursuant to the change in the subsequent legal position, which was enunciated in the judgment of the Hon'ble Division Bench of this Court in ***M. Kathirvel vs. The Inspector General of Registration reported in (2024) 4 CTC 769***, the respondents have no power to cancel any document.

5. Considering the aforesaid submissions, this Court is of the view that nothing survives for adjudication.

6. Accordingly, the impugned proceedings in sey.mu.aa.No.852/aa1/2015, is quashed and the writ petition is allowed. Consequently, the connected



W.P. No.7967 of 2016

miscellaneous petition is closed.

WEB COPY

07.03.2025

mjs

SUNDER MOHAN., J.

mjs

To

1. The Inspector General,
Office of the Inspector of General Registration,
No.100, Santhome High Road,
Chennai - 600 028.
2. The District Registrar,
Namakkal Registrar Office,
Namakkal District.
3. The Sub-Registrar,
Komarapalayam Registrar Office,
Namakkal District.
4. The Public Prosecutor, High Court, Madras.

W.P. No.7967 of 2016



WEB COPY



W.P. No.7967 of 2016

07.03.2025