



W.P. No.23194 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.23194 of 2025

C.Balaraman

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhom High Road,
Manthavelipakkam,
Annamalaipuram,
Chennai-28.

2.The District Registrar,
Kancheepuram District,
No.10, Kancheepuram Highway,
Chengalpattu.

3.The Joint Registrar (No.1),
O/o. The District Registrar,
Chengalpet.

4.The Sub-Registrar,
Sriperumputhur (Near Taluk Office),
Sriperumputtur,
Kancheepuram District.

5.Mr.Natarajan

6.Mr.Ponkumar

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Inspector General of Registration Chennai, the first respondent herein to consider the appeal dated 20.05.2024 and to cancel the document No.11233/2012 on the file of SRO Sriperumbattur executed by Natarajan the 5th respondent herein to and in favour of AnuRaj @ Ponkumar the 6th respondent herein and pass orders.

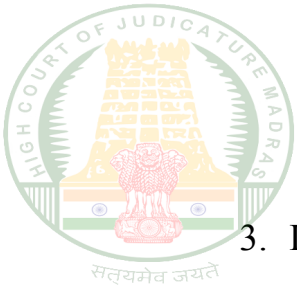
For Petitioner(s) : Dr.R.Sampath Kumar

For Respondent(s) : Mr.Abishek Murthy
Government Advocate
for R1 to R4

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondent Nos.5 and 6 is dispensed with.

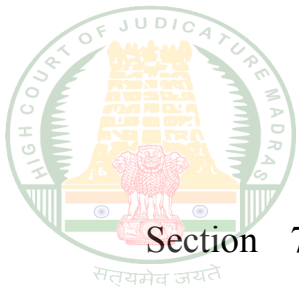
2. The present writ petition is filed praying for a writ of mandamus to direct the first respondent to consider the appeal dated 20.05.2024 and to cancel the document No.11233/2012 on the file of SRO Sriperumbattur executed by the 5th respondent in favour of the 6th respondent.



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3. It is submitted by the learned counsel for the petitioner that the petitioner is the absolute owner of the immovable properties situated at Amarambedu Village, Sirperumbudur Taluk, Kancheepuram District. The fifth respondent, transferred the said property in favour of the sixth respondent by way of settlement deed and registered the same at SRO Sriperubudur on 27.11.2012 vide Doc.No.11233/2012 illegally as he has no title, right or interest over the said property. Thereafter, the petitioner filed a representation dated 19.09.2023 before the District Registrar, Kancheepuram District seeking cancellation of the said settlement deed. However, the same was not considered in view of an interim order passed by the Madurai Bench of this Court in W.P.No.18814 of 2023 dated 27.06.2023, directing not to take action on the representation received under Section 77A of the Tamil Nadu Registration Act. Aggrieved by the same, the petitioner filed an appeal dated 20.05.2024 before the first respondent. However, the same was not considered till date. Hence, the petitioner has filed the present writ petition.

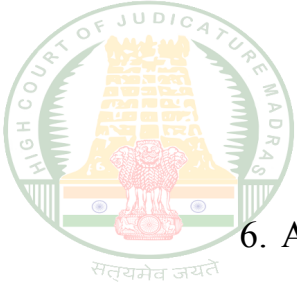
4. At the outset, it was submitted by the learned Government Advocate for the respondents 1 to 4 that neither the first respondent nor any of the authorities under the Registration Act may have the authority to cancel a deed in view of the decision rendered by a Division Bench of this Court in the case of *M.Kathirvel vs The Inspector General of Registration*, reported in 2024 (4) CTC 769, wherein



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Section 77A of the Tamil Nadu Registration Act was found to be unconstitutional. Having said that, learned Government Advocate would submit that the appeal dated 20.05.2024 would be considered and appropriate orders would be passed keeping in view the law laid by the Division Bench of this Court in *M.Kathirvel case* cited supra, within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioner.

5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first respondent, to consider the appeal dated 20.05.2024 on its own merits and pass appropriate orders in accordance with law, keeping in view the law laid by the Division Bench of this Court in the case of *M.Kathirvel vs The Inspector General of Registration*, reported in 2024 (4) CTC 769, after affording reasonable opportunity of hearing to the petitioner, respondent Nos.5 and 6 and any other interested persons/stake holders, within a period of four (4) weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.



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6. Accordingly, the writ petition stands disposed of. There shall be no

order as to costs.

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn

To:

1.The Inspector General of Registration,
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Annamalaipuram,
Chennai-28.

2.The District Registrar,
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MOHAMMED SHAFFIQ, J.

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