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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4769 of 2025

A.S.Ayub Hussain

..Petitioner

Vs.

1. The Chennai District Collector,
No.62, Rajaji Salai, Singaravelar Maligai,
Chennai 600 001.

2. The Revenue Divisional Officer,
Chennai Central,
Padikuppam Road,
Anna Nagar West Extention, Chennai.

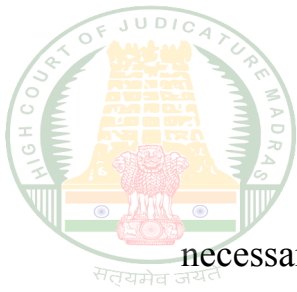
3. District Registrar,
Central Madras,
No.268, Bharati Salai (Pycrafts Road),
Royapettah, Chennai 600 014

4. Sub Registrar,
District of Joint II, Central Chennai,
Thousand Lights, Chennai.

5. A.S.Farhana

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 to take



necessary steps to cancel the settlement deed favoured of 5th respondent in the document No.1060 of 2016 dated 06.09.2016.

For Petitioner : Mr.J.P.Ravivarman
For Respondents : Mr.U.Baranidharan
Additional Government Pleader
for R1 to R4

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 to 4 to cancel the settlement deed dated 06.09.2015 issued in favour of the 5th respondent.

2. Heard Mr.J.P.Ravivarman, learned counsel for the petitioner and Mr.U.Baranidharan, learned Additional Government Pleader for Respondents 1 to 4.

3. In the considered view of this Court, the power to cancel any document which was vested under Section 77A of the Registration Act has already been held to be unconstitutional in the case of *[M. Kathirvel Vs. The Inspector General of Registration Department of Registration and Others]* reported in **2024 4 CTC 769**. Hence, there is no scope for directing the 3rd



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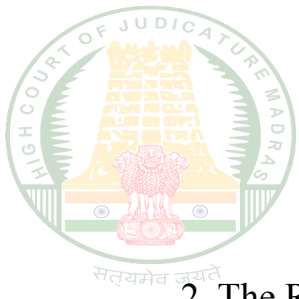
respondent to deal with the representation and to cancel the settlement deed. If at all the petitioner is aggrieved, the petitioner must only approach the competent civil Court seeking for cancellation of the document. Except giving this clarity, no further orders can be passed in this writ petition.

4. This writ petition is disposed of with the above directions. No costs.

18.02.2025

Index : Yes/No
Internet : Yes/No
Speaking Order / Non Speaking Order
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To
1. The Chennai District Collector,
No.62, Rajaji Salai, Singaravelar Maligai,
Chennai 600 001.



2. The Revenue Divisional Officer,
Chennai Central,
Padikuppam Road,
Anna Nagar West Extention, Chennai.

3. District Registrar,
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N. ANAND VENKATESH, J.

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