



WP.No.36434 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.36434 of 2024

W.M.P.Nos.39302 & 39303 of 2024

1.C.Vasanthakumari

2.V.C.Prabhakaran

...Petitioners

Vs

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mullimanagar,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Deputy Inspector General of Registration
Office of the Deputy Inspector General of Registration,
Integrated Building for Offices of the
Commercial Taxes and Registration,
Nandanam, Chennai – 600 035.

3.The District Registrar (Admin.)
Office of the District Registrar
Central Chennai,
Integrated Registration Complex (1st Floor)
No.182, Bharathi Salai,
Royapettah, Chennai 600 014.



WP.No.36434 of 2024

4.The District Registrar
Central Chennai,
Integrated Registration Complex (1st Floor)
No.182, Bharathi Salai,
Royapettah, Chennai 600 014.

5.The Chairman
Tamil Nadu Housing Board,
CMDA Complex,
E & C Market Road,
Koyambedu
Chennai 600 107.

6.The District Revenue Officer (Land Acquisition)
Tamil Nadu State Highways Department,
Chennai Collectorate.
Chennai 600 001.

7.S.Vedachalam

8.V.Mohana

...Respondents

PRAYER:- Petition under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1 to 5 Respondents to take action to cancel the power of attorney Deed dated 02.08.1991 registered as Document No. 1239/Book 4/1991 registered before Sub-Registrar, Anna Nagar, sale Deed dated 21.01.1993 registered as document No. 262/1993, registered before Sub-Registrar, Anna Nagar sale Deed dated 30.10.2009, registered as Document No. 3321 of 2009 registered before sub-Registrar, Villivakkam as they are fraudulent document and



WP.No.36434 of 2024

consequently direct the 5th Respondent to execute sale Deed in respect of Plot No. 1294, 72nd Street Korattur, Chennai -600 080, Tamil Nadu Housing Board, Korattur Scheme, Comprised in Survey No. 816/2B Korattur Village, Ambattur taluk, now Chennai District to and in favour of the petitioners to withdraw compensation of Rs.26,55,199/-deposited towards the acquisition of part of Plot No.1294 along with the accrued interest.

For Petitioners	:	Mr.Balan Haridas
For Respondents	:	Mr.B.Vijay
		Additional Government Pleader (For R1 to R4)
		Mr.Ravindranath Jayapaul for R5
		Mr.A.Selvendran for R6
		Special Government Pleader
		M/s.Mehek Asrani for R7 and R8

ORDER

The Writ Petition has been filed for the following reliefs:-

To direct the 1 to 5 Respondents to take action to cancel the power of attorney Deed dated 02.08.1991 registered as Document No. 1239/Book 4/1991 registered before Sub-Registrar, Anna Nagar, sale Deed dated 21.01.1993 registered as document No. 262/1993, registered before Sub-Registrar, Anna Nagar sale Deed dated 30.10.2009, registered as Document No. 3321 of 2009 registered before sub-Registrar, Villivakkam



WP.No.36434 of 2024

as they are fraudulent document and consequently direct the 5th Respondent

to execute sale Deed in respect of Plot No. 1294, 72nd Street Korattur, Chennai -600 080, Tamil Nadu Housing Board, Korattur Scheme, Comprised in Survey No. 816/2B Korattur Village, Ambattur taluk, now Chennai District to and in favour of the petitioners to withdraw compensation of Rs.26,55,199/-deposited towards the acquisition of part of Plot No.1294 along with the accrued interest.

2. Heard the learned counsel for the petitioners, Mr.B.Vijay, the learned Additional Government Pleader for R1 to R4, and Mr.A.Selvendran, the learned Special Government Pleader for R6 and accepting notice for respondents 1 to 4 and 6.

3.In the light of the judgment of a Division Bench of this Court in the case of *M.Kathirvel Vs. Inspector General of Registration, Department of Registration and Others [reported in 2024 (4) CTC 769]*, the prayer sought for cancellation of the power of attorney and sale deeds cannot be granted, as it has been held by the Division Bench that the Registering Authority has no power to cancel the document unilaterally. Since the relief claiming execution of the sale deeds by the Tamil Nadu Housing Board is a



WP.No.36434 of 2024

consequential prayer as also the claim of compensation, in the light of the dismissal of this writ seeking cancellation of the deeds the prayer cannot be granted. It is open to the petitioners to exhaust the other legal remedies available to them.

4. Accordingly, the writ petition is dismissed. No costs.

22.01.2025

ep

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mullimanagar,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The Deputy Inspector General of Registration
Office of the Deputy Inspector General of Registration,
Integrated Building for Offices of the
Commercial Taxes and Registration,
Nandanam, Chennai – 600 035.
- 3.The District Registrar (Admin.)
Office of the District Registrar
Central Chennai,
Integrated Registration Complex (1st Floor)
No.182, Bharathi Salai,
Royapettah, Chennai 600 014.



WP.No.36434 of 2024

4. The District Registrar
Central Chennai,
Integrated Registration Complex (1st Floor)
No.182, Bharathi Salai,
Royapettah, Chennai 600 014.



WEB COPY



WP.No.36434 of 2024

P.T.ASHA. J,

ep

5.The Chairman

Tamil Nadu Housing Board,
CMDA Complex,
E & C Market Road,
Koyambedu
Chennai 600 107.

6.The District Revenue Officer (Land Acquisition)

Tamil Nadu State Highways Department,
Chennai Collectorate.
Chennai 600 001.

W.P.No.36434 of 2024
W.M.P.Nos.39302 & 39303 of 2024

22.01.2025