



W.P(MD)No.8794 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.8794 of 2024

P.Mariammal

...Petitioner

Vs.

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai,Tamil Nadu 600 028.
- 2.The Deputy Inspector General of Registration,
Registration Department,
St.Mark Street, Backside of Johns Higher Secondary School,
Palayamkottai, Tirunelveli.
- 3.The District Registrar (Administration),
Tenkasi District Registration Office,
Railway Feeder Road, Tenkasi,
Tenkasi District 627 811.
- 4.The Sub Registrar,
Kadayanallur,
Tenkasi District 627 751.

5.S.Kumaresan

...Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 3rd respondent to cancel the registration of the document in SR No.5478 of 2019 dated 13.12.2019 on the file of the 4th respondent within a time stipulated by this Court.

For Petitioner : Mr.S.Louis

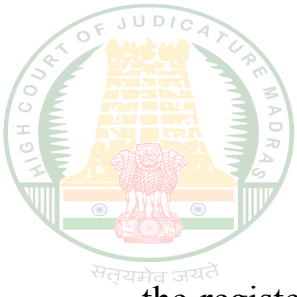
For R1 to R4 : Mr.S.Saji Bino
Special Government Pleader

For R5 : Mr.R.Iyappan

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 3rd respondent to cancel the registration of the document in SR No.5478 of 2019 dated 13.12.2019 on the file of the 4th respondent within a time stipulated by this Court.

2.The petitioner has preferred a complaint against the fraudulent registration and prayed to cancel the registration of the deed. The said complaint was entertained and it was directed to mark the encumbrance in the records. Aggrieved over the same, the fifth respondent preferred an appeal. In the appeal, the earlier order was set aside and the third respondent was directed to decide the question under Section 77-A of the Registration Act. Since the same was not considered, the present petition is filed by the petitioner.



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3.The petitioner cannot seek to cancel the registered document, since the registering officer is not having any power to cancel the document once it is registered. Further, Section 77-A was struck down as unconstitutional. Therefore, the registering officer cannot proceed further to conduct any enquiry and the appropriate remedy is to approach the competent Civil Court. Hence, the writ petition is dismissed. There shall be no order as to costs. The petitioner is at liberty to file a civil suit.

08.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Tmg



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To

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Tenkasi District 627 751



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.8794 of 2024**

DATED : 08.08.2025