



W.A.(MD)No.1715 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.(MD)No.1715 of 2021
and
C.M.P.(MD)No.7316 of 2021**

A.Gunasekaran

... Appellant

Vs.

1.The Inspector General of Registration,
Department of Registration,
Pattinapakkam,
Chennai.

2.The District Registrar (Administration),
Registration Department,
Dindigul.

3.The Sub Registrar,
Nilakottai,
Dindigul District.

4.Palaniappan

... Respondents



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Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order dated 19.03.2021 in W.P.(MD).6286 of 2021 on the file of this Court.

For Appellant : Mr.R.Murali

For Respondents : Mr.P.T.Thiraviyam,
Government Advocate for R1 to R3.
Mr.M.Saravanan for R4.

JUDGMENT

Heard both sides.

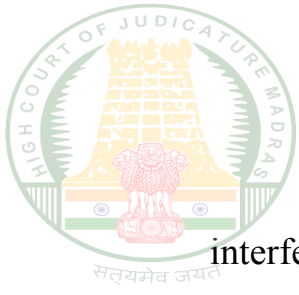
2.The appellant / Gunasekaran and the fourth respondent / Palaniappan are brothers. The grievance of the appellant is that the fourth respondent got registered several properties including a government property illegally and fraudulently. Gunasekaran therefore complained to the District Registrar, Dindigul for cancelling the Document No.649/2005 registered on the file of the Sub Registrar, Nilakottai. The District Registrar vide proceedings dated 03.02.2017



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even while relegating the parties to go before the civil Court rendered adverse findings against Palaniyappan. Thereafter, this order dated 03.02.2017 was recalled on 23.04.2018. Challenging the recall order, Gunasekaran filed W.P.(MD)No.6286 of 2021. The learned Single Judge vide order dated 19.03.2021 dismissed the writ petition. Questioning the same, this writ appeal has been filed.

3.We are not satisfied with the contentions advanced by the learned counsel for the appellant. It is too obvious that the District Registrar, Dindigul issued proceedings dated 03.02.2017 only by invoking the power conferred on him under Circular No.67 dated 03.11.2011. The Hon'ble Supreme Court in the decision reported in **2017 (1) CTC 414 (Satya Pal Anand Vs State of M.P)** had held that the authority under the Registration Act cannot direct cancellation of document once it is registered. Circular No.67 dated 03.11.2011 was also withdrawn. It was further directed that the orders passed by invoking the said circular should also be recalled. That is why, the impugned order dated 23.04.2018 came to be passed by the second respondent. The learned Single Judge rightly held that the said order does not warrant any



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interference. It is also seen that the appellant had already filed a civil suit. It is for the appellant to pursue his remedies in the pending civil proceedings. We do not find any ground to interfere and the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S. J.) & (M.J.R. J.)
14.02.2025**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Inspector General of Registration,
Department of Registration,
Pattinapakkam, Chennai.
- 2.The District Registrar (Administration),
Registration Department, Dindigul.
- 3.The Sub Registrar,
Nilakottai,
Dindigul District.



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and
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