



W.P(MD)No.32058 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32058 of 2025

R.Dhanasekaran

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Registrar,
Sivagangai District,
Sivagangai.
- 3.The Tahsildar,
Taluk Office,
Sivagangai,
Sivagangai District.
- 4.The Sub Registrar,
Joint No.II Sub Registrar,
Sivagangai,
Sivagangai District.
- 5.The Block Development Officer,
Sivagangai,
Sivagangai District.



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6.A.Vijaya Marthandan
7.P.S.R.Kumar
8.K.Alagaupandi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to cancel the gift deed vide Doc No.3918 of 2025 which one transferred illegally without the petitioner's knowledge or permission on the basis to consider the petitioner's representation dated 10.09.2025 and pass order within the time frame may be stipulated by this Court.

For Petitioner : Mr.P.Ranjithkumar

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R.1 to R.4

Mr.J.K.Jeyaselan
Government Advocate
for R.5

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 4 and the learned Government Advocate appearing for the fifth respondent. Considering the nature of relief to be granted issuance of notice to the respondents 6 to 8 is dispensed with.



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2.The grievance of the petitioner is that the private respondents have fraudulently executed the petition mentioned gift deed in favour of the Government. According to the petitioner, he has title and interest in the said property and that the document has been executed without his knowledge. He has given a representation to the second respondent seeking cancellation of the document. Since the request was not considered, the present writ petition has been filed.

3.As rightly pointed out by the learned Additional Government Pleader, such a relief can be granted only by the jurisdictional civil Court. Once the document has been executed, it is not open to the registering authority to cancel the same. It is now a settled position. If Section 77A of the Registration Act, 1908 had been in the statute book, probably I would have given a direction. Since it has been struck down, the only remedy open to the writ petitioner is to move the jurisdictional civil Court.



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4.Granted such liberty to the writ petitioner, this Writ Petition is

dismissed. No costs.

11.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
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Sivagangai.
- 3.The Tahsildar,
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G.R.SWAMINATHAN, J.

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