



WEB COPY

WP No. 48287 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 48287 of 2025

D.Soosairaj,
S/o.Late.Devasakayam,
Cylon Colony B, Keelapuliyur Post,
Kunnam Taluk,
Perambalur District.

..Petitioner

Vs

1. The District Registrar,
Office of the District Registrar,
Perambalur District.
2. The Sub-Registrar,
Office of the Sub-Registrar,
Kunnam Taluk, Perambalur District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st respondent to direct the 2nd respondent to cancel the fraudulent gift settlement deed in document No.1/5841/2024 dated 02.12.2024 and sale deed document No.580/2025 dated 12.02.2025 by considering the petitioner's representation dated 22.08.2025 within the period as stipulated by this Honourable Court.



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For Petitioner:

Mr. S.Atham Ali

For Respondents:

Mr.U.Baranidharan Spl.G.P.

ORDER

According to the petitioner, his elder brother, D.Francis, fraudulently executed gift settlement deed dated 02.12.2024 in favour of one Stella. Thereafter, the said Stella executed sale deed dated 12.02.2025 bearing document no.580/2025 in favour of third parties. After submitting representation dated 22.08.2025 seeking cancellation of the above mentioned documents, the present writ petition has been filed.

2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for both the respondents. He submits that the registering officer does not have the power of cancellation.

3. As submitted by learned Special Government Pleader, after Section 77A of the Registration Act, 1908 was held to be unconstitutional, the registering officer does not have the power of cancellation. Therefore, the request for mandamus cannot be countenanced. By leaving it open to the petitioner to approach the jurisdictional civil court for cancellation of the



conveyances referred to in this writ petition, the writ petition is disposed of without any order as to costs.

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06-01-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

1. The District Registrar,
Office of the District Registrar,
Perambalur District.
2. The Sub-Registrar,
Office of the Sub-Registrar,
Kunnam Taluk, Perambalur District.



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SENTHILKUMAR RAMAMOORTHY, J.

KJ

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