



WEB COPY

WP No. 50686 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 50686 of 2025

E.Kannabiran, S/o. Late. Elumalai,
No. 9/7, Jeeva Street, Sri Devi Nagar,
Kamaraja Nagar, Avadi, Chennai 71.

..Petitioner

Vs

1. The Inspector General of Registration,
Santhome, Chennai District.
2. The District Registrar (Admin),
Office at Thirupathur, Tirupathur District.
3. The Sub-Registrar, Office of Jolarpet,
Thirupathur, Thirupathur District.
4. M.Naveen, S/o. Murugesan,
No.17, Bajanai Koil Street,
Melachamangalam Village, Thirupathur Taluk,
Thirupathur District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus directing the 2nd respondent herein to call for the records vide proceedings Na.Ka.No. 2855/AA3/2025 dated 6.10.2025 and quash the same and consequently cancel the sale deeds vide Documents Nos.1004/25 and 1005/2025 on the file of the 3rd respondent herein.



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For Petitioner:

Mr.R.Ramesh

For Respondents:

Mr.Stalin Abimanyu, Addl. Govt. Pleader
for R1 to R3**ORDER**

Upon coming to know of the registration of document nos.1004/2025 and 1005/2025, the petitioner has presented this writ petition seeking cancellation of the said documents.

2. Learned counsel for the petitioner submits that a legal heirship certificate was obtained fraudulently by his brothers and that the fourth respondent herein purchased the property under the above mentioned registered documents. Because the said documents were registered by the registering officer notwithstanding the protest petition of the petitioner, he submits that the said documents are liable to be cancelled.

3. Mr.Stalin Abimanyu, learned Additional Government Pleader, accepts notice for respondents 1 to 3. He points out that the impugned order was issued in view of Sections 77A , 77B and 68(2) of the Registration Act, 1908 being held to be unconstitutional. Therefore, he submits that there is no infirmity in the impugned order.



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4. As correctly pointed out on behalf of the official respondents, the registering officer does not have the power to cancel a registered instrument. If the petitioner is of the view that the vendor did not have title to the relevant property and could not have conveyed the same to the purchaser, the appropriate remedy would be for the petitioner to approach the jurisdictional civil court. By leaving it open to the petitioner to do so, this writ petition is disposed of without any order as to costs.

22-01-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

1. The Inspector General of Registration, Santhome, Chennai District.
2. The District Registrar (Admin),
Office at Thirupathur, Tirupathur District.
3. The Sub-Registrar, Office of Jolarpet, Thirupathur, Thirupathur District.



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