

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
And
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.153 of 2017

Manimekalai

... Appellant/Petitioners

Vs.

- 1.The Inspector General
Department of Registration
No.100, Santhome High Road,
Chennai - 600 028.
- 2.The Deputy Inspector General
Department of Registration
No.50, Sankara Naidu Street,
Thirupapuliur, Cuddalore - 607 002.
- 3.The District Registrar,
Department of Registration,
Gopuram Complex,
Kutcherry Road, Kallakurichi.
- 4.The Joint Sub-Registrar,
Department of Registration,
Gopuram Complex,
Kutcherry Road, Kallakurichi.

5.R.J.Selvanayagam

... Respondents/Respondents

Prayer:

Writ appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 18.07.2016 made in W.P.No.28163 of 2015.

Prayer in WP.NO.28163/2015

The Writ Petition is filed Under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondents 1 to 4 to consider and dispose of the petitioners representation dated 07.08.2015 within the time frame to be fixed by this Court.

For Appellant : Mr.A.Chandrasekaran

For Respondent Nos.1 to 4: Ms.A.Srijayanthi
Special Government Pleader

For Respondent No.5 : Mr.AR.L.Sundaresan
Senior Counsel
for Mr.P.Valliappan

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

The appellant filed a writ petition in W.P.No.28163 of 2015 to direct the District Registrar to conduct enquiry pursuant to her representation dated 07.08.2015. It was the case of the appellant that Circular No.67 dated 03.11.2011 issued by the Inspector General of Registration empowers the District Registrar to conduct enquiry and annul the registered document.

2.The learned Single Judge by order dated 18.07.2016 dismissed the writ petition. Feeling aggrieved, the appellant has come up with this intra court appeal.

3.We have heard the learned counsel for the appellant. We have also heard the learned Special Government Pleader appearing on behalf of the respondents 1 to 4 and the learned Senior Counsel for the fifth respondent.

4.The appellant filed the writ petition before the writ Court on the ground that the District Registrar is empowered to conduct enquiry and annul the document on the strength of the Circular No.67 dated 03.11.2011. The said Circular was very much in operation when the writ Court dismissed the writ petition in W.P.No.28163 of 2015.

5.The Inspector General of Registration vide Circular in Letter No.41530/a[1/2017, dated 20.10.2017, has withdrawn the Circular No.67 dated 03.11.2011. The Circular is self explanatory. In view of the subsequent events relating to the withdrawal of Circular No.67 dated 03.11.2011, we find no reason to entertain the appeal filed by the appellant for an enquiry by the District Registrar.

6.We therefore, dismiss the intra court appeal. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

- 1.The Inspector General
Department of Registration
No.100, Santhome High Road,
Chennai - 600 028.
 - 2.The Deputy Inspector General
Department of Registration
No.50, Sankara Naidu Street,
Thirupapuliyur, Cuddalore - 607 002.
 - 3.The District Registrar,
Department of Registration,
Gopuram Complex,
Kutcherry Road, Kallakurichi.
 - 4.The Joint Sub-Registrar,
Department of Registration,
Gopuram Complex,
Kutcherry Road, Kallakurichi.
- + 1 cc to Mr.P.Valliappan Advocate,SR.77564
- + 1 cc to M/s.G.Desingu Advocate,SR.77557
- + 1 cc to The Govt.Pleader, SR.77660

RR(CO)
NR 30/11/2017

W.A.No.153 of 2017

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