



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8089 of 2012
and M.P. No. 1 and 2 of 2012

- 1.C.Ravi
- 2.Rajeshwariammal
- 3.B.Eshwarayya
- 4.B.Munusamy
- 5.Minor M.Kamatchi
- 6.Minor M.Mukkandi

(Minors P5 and P6 are represented by father
and Natural Guardian B.Munuswamy)

...Petitioners

Vs.

1.The District Registrar (Administration)
(Assistant Inspector General of Registration)
Chennai North,
Rajaji Salai,
Chennai - 600 001.

2.Sub Registrar
Gummudipoondi,
Tiruvalur District.

- 3.Sulochana
- 4.P.V.Venkateshwaralu
- 5.P.V.Chandrashekar

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records from the respondents 1 and 2 leading to impugned order passed by the first respondent in No.12155/B1/2011, dated 30.01.2012 and quash the same.

For Petitioners : Mr.N.Ganesh for P1
M/s.K.Ramu

For Respondents : Mr.Yogesh Kannadasan for R1 and R2
Special Government Pleader
M/s.M.Hariharan for R3 and R4



O R D E R

The petitioners have filed this writ petition seeking issuance of Writ of Certiorari calling for the records from the respondents 1 and 2 leading to impugned order passed by the first respondent in No.12155/B1/2011, dated 30.01.2012 and to quash the same.

2.The learned counsel appearing for the petitioners submitted that the fourth respondent made complaint to the first respondent under Section 82 of the Registration Act, 1908 alleging that the petitioners 2 to 6 have executed bogus sale deed registered as document no.2646 of 2009 in favour of the first petitioner and sought for cancellation of the same. The first respondent cancelled the document based on the Circular of the Inspector General of Registration dated 03.11.2011 in Circular No.67.

3.The learned counsel appearing for the petitioners further submitted that Circular No.67 itself was withdrawn on 20.10.2017 and all the cancellation orders pursuant to the said Circular were recalled. Hence, the impugned order ought to have been recalled automatically.

4.The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that whatever orders passed pursuant to Circular No.67, dated 03.11.2011, were already recalled. Hence, the impugned order will be recalled, if not already recalled.

5.In view of the above, this writ petition is allowed. The impugned order passed by the first respondent dated 30.01.2012 is hereby set aside. Liberty is granted to the private respondents to work out the remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar



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To

1. The District Registrar (Administration)
(Assistant Inspector General of Registration)
Chennai North,
Rajaji Salai,
Chennai - 600 001.

2. The Sub Registrar
Gummudipoondi,
Tiruvalur District.

+1 CC to Mr.M.Hariharan, Advocate sr 18924
+1 CC to N.Ganesh, Advocate sr 18270.
+1 CC to The Government Pleader sr 18803.

W.P.No.8089 of 2012

GPL(CO)
SP(29/03/2022)