



W.P(MD)No.12337 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.11.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.12337 of 2015

RM.Valliappan

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Chennai-600 001.

2.The District Registrar,
Madurai South,
171, Palace Road,
Madurai.

3.The Joint Sub Registrar,
Madurai.

... 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 Document Nos.15355/2010 and 15356/2010 on the file of the third respondent as per the first respondent's circular no.67 date 03.11.2011



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For Petitioner : Mr.R.S.T.Ravanan @ Ramasubramanian

For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a writ of Mandamus, directing the second respondent herein to cancel the two sale agreements said to have been registered by one Balamarthandan and K.Pandi in Doc.No.15355/2010 and 15356/2010 on the file of the third respondent herein.

2. According to the petitioner, the said Balamarthandan and Pandi do not have any title to the property and they have executed these documents only to usurp the property of the writ petitioner. Hence, he has requested the second respondent to conduct an enquiry based upon Circular No.67, dated 03.11.2011.

3. The learned Additional Government Pleader appearing for the respondents pointed out that Circular No.67 has already been withdrawn by the Government and it is no longer in force.



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4. In view of the above said facts, since Circular No.67 is not in force, there cannot be a mandamus, directing the second respondent to conduct an enquiry under the said circular. The writ petitioner is granted liberty to approach the second respondent with a fresh application and as and when such application is filed, the same shall be considered in the light of Section 77-A of the Registration Act.

5. With the above said observations, this Writ Petitions is disposed of. No costs.

02.11.2022

Index : Yes / No
Internet : Yes / No
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To

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3.The Joint Sub Registrar,
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R.VIJAYAKUMAR ,J.

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Order made in
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