



W.P(MD)No.17398 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17398 of 2015

and

M.P(MD)No.1 of 2015

M.Muruganantham

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome, Chennai.

2.The District Registrar,
Kanyakumari District,
Nagercoil.

3.The Sub-Registrar,
Nagercoil Sub-Registration Office,
Nagercoil,
Kanyakumari District.

4.M.Sujithra

5.S.Manikumar

6.S.Manimaran

... Respondents



W.P(MD)No.17398 of 2015

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 annul the gift deed in Document No.3045 of 2003 and sale deed in Document No.3802 of 2003 on the file of the third respondent in the light of the circular issued by the first respondent in circular No.67 dated 03.11.2011, by considering the petitioner's complaint dated 12.08.2015.

For Petitioner : Mr.V.Santha Kumaresan

For R1 - R3 : Mr.K.S.Selva Ganesan
Additional Government Pleader

For R4 & R5 : Mr.R.Murugan

ORDER

The present writ petition has been filed seeking a Writ of Mandamus, directing the second respondent herein to annul a gift deed based upon the circular of the first respondent in Circular No.67, dated 03.11.2011 based upon the petitioner's complaint, dated 12.08.2015.

2. The learned Additional Government Pleader for the official respondents has brought to the notice of the Court that the said Circular No.67, dated 03.11.2011 has already been withdrawn by the State



W.P(MD)No.17398 of 2015

Government and hence, the second respondent does not have any jurisdiction now to entertain any complaint under the said circular. In view of the said fact, the prayer sought for in the writ petition cannot be granted as prayed for.

3. However, the second respondent is directed to consider the complaint of the writ petitioner, dated 12.08.2015 in the light of Section 77-A of the amended Registration Act within a period of four months from the date of receipt of a copy of this order, after giving due opportunity to the writ petitioner and the private respondents herein.

4. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

14.10.2022

Index : Yes / No
Internet : Yes / No

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W.P(MD)No.17398 of 2015

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R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.17398 of 2015

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