



W.P(MD).No.22983 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.22983 of 2015

and

M.P(MD)No.1 of 2015

K.Kavitha

... Petitioner

-VS-

1. The Director General of Registration,
No.100, Santhome High Road,
Chennai.

2. The District Registrar,
Karaikudi,
Sivagangai District.

3. The Sub-Registrar,
Ponnamaravathy,
Pudukkottai District.

4. The Inspector of Police,
Ponnamaravathy Police Station,
Sivagangai District.

5. K.Kasi Ramanathan
S/o. Kasi Chettiar,
Deivanai Trading Company,
44A, Kadai Veethi,
Thenkarai, Periakulam,
Theni District.

.... Respondents



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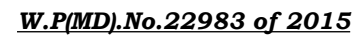
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the second respondent vide Na.Ka.No. 2503/ஆ1/2015, dated 16.11.2015 and quash the same.

For Petitioner : M/s.A.L.Ganthimathi
For R-1 to R-3 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R-4 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)
For R-5 : K.K.Ramakrishnan

ORDER

The present Writ Petition has been filed challenging the order passed by the second respondent herein, under which, a Sale Deed in Document No.496 of 2007, dated 02.03.2007, on the file of the third respondent has been annulled to be void invoking the powers contemplated upon the second respondent under Circular No.67, dated 03.11.2011.

2. According to the learned Counsel for the petitioner, the said Circular was withdrawn by another Circular issued by the Office of the



“ 4. Now it has come to my knowledge that certain documents have been annulled by the District Registrars vide Circular first cited and the same have been entered in the Index-II by the Registering Officers. Now it is informed that since the said Circular 67/2011, dated 03.11.2011 has been withdrawn, any orders passed by the District Registrar (Admin) by invoking the said Circular are also deemed to be withdrawn. Hence, all the District Registrars who have passed orders annulling the documents in question are hereby directed to do the following.”

3. A perusal of the said Circular, dated 09.04.2018, indicates that the Circular No.67 of 2011 has been withdrawn and any orders that have been passed pursuant to the said Circular are also deemed to be withdrawn. The order impugned in the present Writ Petition has been passed pursuant to Circular No.67 of 2011, dated 03.11.2011.

4. Hence, it is clear that the order impugned in the Writ Petition is



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also deemed to have been withdrawn. In view of the above said decision, the order impugned in the Writ Petition no longer survives and it cannot be enforced. If any consequential changes have been effected in the Encumbrance Certificate, the same shall also be deleted. However, the fifth respondent is at liberty to approach the second respondent under Section 77-A of the Registration Act., if he is so advised.

5. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

18.11.2022

Index : Yes / No
Internet : Yes / No
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