



W.P.(MD) No.239 of 2016.

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2022

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.239 of 2016
and
W.M.P.(MD) No.175 of 2016**

A.Chella Rengarajulu

... Petitioner

/vs./

- 1.The Inspector General of Registration,
The Inspector General of Registration Office,
Chennai -20.
- 2.The Revenue Divisional Officer,
Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
- 3.The Tahsildar,
Tahsildar Office,
Mudukulathur,
Ramanathapuram District.
- 4.The District Registrar (Administration),
The District Registrar Office,
Ramanathapuram District.



W.P.(MD) No.239 of 2016.

WEB COPY

5.The Sub Registrar,
Registrar Office,
Melamudukulathur Village,
Mudukulathur,
Ramanathapuram District.

6.Pugazhenth

7.A.Susila

8.A.Kowsalya

9.A.Saroja

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to quash the Impugned Order passed by the 4th respondent in his proceedings Na.Ka.No.1506/A1/2014 dated 20.03.2015 and consequently to letter No.31492/U1/2015 dated 17.08.2015 issued by the 1st respondent and consequential to direct the respondent No.4 to declare the document in Document No.800/13 as null and void.

For Petitioner : Mr.R.R.Kannan

For R1 to R5 : Mr.M.Prakash
Additional Government Pleader

For R6 : Mr.K.R.Laxman



W.P.(MD) No.239 of 2016.

WEB COPY

ORDER

This writ petition has been filed challenging the order of the fourth respondent passed in his proceedings dated 20.03.2015 in Na.Ka.No. 1506/A1/2014, wherein the fourth respondent had rejected the request of the petitioner stating that it is beyond the powers issued under Circular No.67/2011 dated 03.11.2011 and also the further order of the first respondent refusing to entertain the appeal against the order of the fourth respondent on the ground that the said circular 67/2011 dated 03.11.2011 has been stayed.

2.Pending this writ petition, the Hon'ble Apex Court had quashed the circular in issue, namely, Circular No.67/2011 dated 03.11.2011 and thereafter, the State of Tamil Nadu had effected an amendment to the Registration Act, 1908 by introducing Section 77-A empowering the District Registrars to deal with the complaints of fraudulent registration.

3.In view of the subsequent developments, the petitioner is permitted to approach the fourth respondent by filing necessary application under the provisions of the said amended enactment. As and when such an application is



W.P.(MD) No.239 of 2016.

made by the petitioner before the fourth respondent, the said authority shall issue proper notice to the respective parties concerned and after following the due process of law shall pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

4. With the above direction, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
Internet : Yes / No
Index : Yes / No
mm

16.12.2022

To

1. The Inspector General of Registration,
The Inspector General of Registration Office,
Chennai -20.

2. The Revenue Divisional Officer,
Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.



W.P.(MD) No.239 of 2016.

WEB COPY

- 3.The Tahsildar,
Tahsildar Office,
Mudukulathur,
Ramanathapuram District.
- 4.The District Registrar (Administration),
The District Registrar Office,
Ramanathapuram District.
- 5.The Sub Registrar,
Registrar Office,
Melamudukulathur Village,
Mudukulathur,
Ramanathapuram District.



WEB COPY



W.P.(MD) No.239 of 2016.

K.KUMARESH BABU, J.

mm

W.P.(MD) No.239 of 2016

16.12.2022