



WEB COPY



W.P.No.1066 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.1066 of 2023

M.Chandra

... Petitioner

Vs

1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Madavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Deputy Inspector General of Registration,
Combined Registration Office Building,
Veppamara Street, Velapadi,
Vellore – 632 001.

3.The District Registrar (Administration)
Thiruvannamalai District.

4.The Sub Registrar,
Joint – 2 Sub Registrar Office,
Thiruvannamalai District.

5.M.Arumugam

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned order dated 28.06.2022 in No.928/Aa1/2022 passed by the 2nd respondent herein and quash the same



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and consequently declare the Deed of Cancellation dated 29.12.1988 in Document No.3532/1988, on the file of Thiruvannamalai Joint II Sub Registrar Office executed by Arumuga Gounder and Poongavanammal as null and void and non-est in law.

For Petitioner : Mr.S.Vijayanand

For Respondents : Mr.Yogesh Kannadasan
Spl. Govt. Pleader for R1 to R4

ORDER

The prayer sought for herein is for a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order dated 28.06.2022 in No.928/Aa1/2022 passed by the 2nd respondent herein and quash the same and consequently declare the Deed of Cancellation dated 29.12.1988 in Document No.3532/1988, on the file of Thiruvannamalai Joint II Sub Registrar Office executed by Arumuga Gounder and Poongavanammal as null and void and non-est in law.

2. Though such a prayer has been sought for, Mr.S.Vijayanand, learned counsel appearing for the petitioner would submit that, the impugned order dated 28.06.2022 has been passed by the 2nd respondent under Section 77-A of the Registration Act, 1908, as against which, appeal can be preferred under Section 77-B(2) of the said Act to the State



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Government, therefore with the liberty to prefer such an appeal, this writ petition can be disposed.

3. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents 1 to 4. In view of the order going to be passed in this writ petition, notice to the 5th respondent is dispensed with.

4. Recording the said submission made by the learned counsel appearing for the petitioner, this writ petition is disposed, without going into the merits of the case as the petitioner wants to prefer appeal against the order impugned dated 28.06.2022 passed by the 2nd respondent before the State Government under Section 77-B(2) of the Registration Act, therefore with that said liberty, this Writ Petition is disposed of.

5. It is further made clear that, if the petitioner is able to file the appeal to the State Government within two weeks period from the date of receipt of a copy of this order, the same shall be entertained and decided by the State Government on merits and in accordance with law. No costs.



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6. The Registry is directed to return the original impugned order to

the counsel on record after retaining the photocopy, with due acknowledgment.

19.01.2023

Index : Yes/No

Speaking Order : Yes/No

Note : Issue order copy on 20.01.2023

Sgl

To

- 1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Madavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The Deputy Inspector General of Registration,
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R.SURESH KUMAR, J.

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