



W.P. No.4062 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.4062 of 2023

Manickam

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Office of the District Registrar,
Salai Vinayakarkovil Street,
Dharmapuri – 636 701.

3.The Sub Registrar,
Paapireddipatti,
Dharmapuri.

4.K.Durairaj

5.D.Amudha

6.D.Arivazhagan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 2nd respondent to dispose of the representation of the petitioner dated 27.11.2020 by conducting enquiry as contemplated under Section 77-A of the Registration Act.



W.P. No.4062 of 2023

For Petitioner : Mr.P.Dinesh Kumar

For Respondents : Mr.Yogesh Kannadasan
Spl. Government Pleader for R1 to R3

ORDER

The prayer sought for herein is for a writ of mandamus directing the 2nd respondent to dispose of the representation of the petitioner dated 27.11.2020 by conducting enquiry as contemplated under Section 77-A of the Registration Act.

2. In respect of property situated at Devarajapalayam Village, Papireddipatti Taluk, Dharmapuri District in Survey No.148/1A, 3.18 (new Sub division to the extent of 3.12) acres, according to the petitioner there has been a fraudulent transaction, therefore in order to enquire the same and to cancel the sale deed in respect of the private respondents herein, the petitioner had given a complaint cum representation dated 27.11.2020 and in order to enquire the matter and to pass orders of course now under Section 77-A of the Registration Act, the present writ petition has been filed.

3. Heard Mr.P.Dinesh Kumar, learned counsel appearing for the



W.P. No.4062 of 2023

petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 to 3. In view of the order going to be passed in this writ petition, notice to the private respondents is dispensed with.

4. The learned Special Government Pleader for the official respondents would submit that, though the said complaint cum representation was submitted sometime in November 2020 and the same since has not been decided so far and in the meanwhile from 16.08.2022 the Registration Act has got amended under which Section 77-A has been inserted and the quasi judicial power is vested with the District Registrar i.e. the 2nd respondent herein, who would consider the said complaint cum representation of the petitioner dated 27.11.2020 under the provisions of Section 77-A after conducting proper enquiry by giving opportunity of being heard to both sides orders would be passed within a time frame, he contended.

5. Considering the said submissions made by the learned Special Government Pleader for the official respondents, this Court is inclined to dispose of this writ petition with the following orders:



W.P. No.4062 of 2023

WEB COPY

There shall be a direction to the 2nd respondent to consider the complaint cum representation dated 27.11.2020 given by the petitioner against the private respondents and after completing enquiry the same shall be decided on merits by giving an opportunity of being heard to both the petitioner as well as the private respondents within a period of ten weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

13.02.2023

Index : Yes / No
Speaking Order : Yes / No
Sgl

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.
- 2.The District Registrar,
Office of the District Registrar,
Salai Vinayakarkovil Street,
Dharmapuri – 636 701.
- 3.The Sub Registrar,
Paapireddipatti, Dharmapuri.



WEB COPY



W.P. No.4062 of 2023

R.SURESH KUMAR, J.

Sgl

W.P.No.4062 of 2023

13.02.2023