



W.P.No.8384 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8384 of 2023

and

W.M.P.Nos.8564 to 8567 of 2023

M.Kannan

...Petitioner

-Vs-

1. Inspector General of Registration,
Chennai - 28.

2. District Registrar (Admin),
Santhaimedu, Gingee Road,
Tindivanam, Villupuram District.

3. Sub Registrar,
Avarapakkam, Santhaimedu,
Gingee Road, Tindivanam.

4. The Tashildhar,
Tindivanam, Villupuram District.

5. M. Venkatesan

6. M. Jaganathan

7. S. Prabu



W.P.No.8384 of 2023

8.S.Jakir Hussain

9.P.Subha

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, calling for the entire records on the file of 4th respondent pursuant of the proceedings dated 28.01.2022 bearing RTR 565/2022 and quash the same and restore the patta which stands in the name of petitioner, his sons and daughter, consequently directing the 2nd respondent to dispose the petitioner's petition dated 12.01.2023 under Section 77A of the Registration Act.

For Petitioners	:	Mr.G.Srivenkatesh
For R1 to R4	:	Mr.E.Sundaram, Government Advocate
For R5	:	No Appearance
For R6 & R7	:	Mr.V.Surendar
For R8 & R9	:	Mr..P.Saravanan

ORDER

The relief sought for in the present Writ Petition is to call for the records with reference to the patta transfer proceedings issued by the fourth respondent dated 28.01.2022 and to direct the second respondent to dispose



W.P.No.8384 of 2023

of the petition filed by the petitioner under Section 77A of the Registration Act (hereinafter referred to as 'the Act').

2. The learned counsel for the petitioner contended that several fraudulent documents were registered continuously at the instance of the respondents 5 to 9. Since the said respondents are continuously registering documents fraudulently, the petitioner has initiated steps to cancel those documents by filing a complaint under Section 77A of the Act. The said complaint was given on 12.01.2023, which is yet to be taken up for enquiry.

3. As far as the patta transfer proceedings of the fourth respondent Tahsildar is concerned, the petitioner is entitled to prefer an appeal before the Revenue Divisional Officer concerned under the provisions of the Tamil Nadu Patta Pass Book Act. Thus, the petitioner is at liberty to prefer an appeal before the Revenue Divisional Officer concerned for the purpose of adjudication of issues. In the event of filing any such appeal, the Revenue Divisional Officer shall issue summons to all the parties concerned and decide the issue on merits by affording opportunities.



W.P.No.8384 of 2023

4. As far as the complaint filed before the second respondent District Registrar is concerned, the said complaint is to be taken on file and to be adjudicated by following the procedures as contemplated under Section 77A of the Act and final order is to be passed on merits and in accordance with law.

5. Since the petitioner has raised several allegations, the summary proceedings is to be conducted as expeditiously as possible by the second respondent. The case of the petitioner is also to be decided as per the Circular issued by the Inspector General of Registration in Letter No.19464/U1/2023, dated 10.06.2023.

6. With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

02.08.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

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W.P.No.8384 of 2023

WEB COPY To

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Chennai - 28.
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Tindivanam, Villupuram District.
- 3.The Sub Registrar,
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Gingee Road, Tindivanam.
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W.P.No.8384 of 2023

S.M.SUBRAMANIAM, J.

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W.P.No.8384 of 2023

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