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W.P.No.5920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5920 of 2023
and W.M.P.No.5916 of 2023

Aiyanarsamy

.... Petitioner

-Vs-

1.The Inspector General of Registration
Mylapore, Chennai.

2.The District Registrar
Krishnagiri District, Krishnagiri.

3.The Sub Registrar
Uthangarai, Krishnagiri District.

4.Tmt.Radha

5.A.Shobana

6.Sakthivel

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to dispose of the petitioner's appeal under Section 77-A of the Registration Act dated 13.02.2023.

For Petitioner : Mr.D.Sreenivasan
for Ms.L.Aishwarya Lakshmi
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader-for RR 1 to 3
Notice dispensed with – for RR 4 to 6



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ORDER

The prayer sought for herein is for a Writ of Mandamus to direct the 1st respondent to dispose of the petitioner's appeal under Section 77-B of the Registration Act dated 13.02.2023.

2. In respect of the documents in Document Nos.1275/1993, 569/1999, 2335/1999, 1723/2014, 419/2018 and 6584/2022, the petitioner suffered with an order passed by the 2nd respondent District Registrar dated 30.01.2023 under which those documents were directed to be cancelled as having been declared to be forged documents within the meaning of Section 77-A of the Act. The petitioner preferred an appeal under Section 77-B of the Act to the 1st respondent ie., Inspector General of Registration on 13.02.2023. In order to consider the said appeal at an earliest point of time and decide the same after giving an opportunity of hearing to the petitioner as well as the complainants who made the complaint against the petitioner, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the official respondents. In view of the order that is going to be passed in this writ petition, notice to the private respondents is



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hereby dispensed with.

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4. Learned Special Government Pleader appearing for the official respondents would submit that, since orders have been passed by the 2nd respondent on 30.01.2023 under Section 77-A of the Act, aggrieved over the same since the petitioner has preferred appeal under Section 77-B of the Act before the Inspector General of Registration / 1st respondent only recently, the same would be taken up and decided by the 1st respondent, of course after giving an opportunity of being heard to both the petitioner as well as the private respondents and decided within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Special Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the 1st respondent to consider the appeal dated 13.02.2023 filed by the petitioner against the order of the 2nd respondent dated 30.01.2023 and decide the same after giving an opportunity of being heard to both the petitioner as well as the private respondents within a period of



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six weeks from the date of receipt of a copy of this order.

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- Till such disposal is made by the Inspector General of Registration / 1st respondent as indicated above, insofar as the property in question is concerned, status quo as on today shall be maintained.

6. With the above directions, this writ petition is disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

27.02.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST
To

- 1.The Inspector General of Registration
Mylapore, Chennai.
- 2.The District Registrar
Krishnagiri District, Krishnagiri.
- 3.The Sub Registrar
Uthangarai, Krishnagiri District.



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R. SURESH KUMAR, J.

KST

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