



W.P.No.20927 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.20927 of 2023

and

W.M.P.20306 of 2023

V.G.Selvaraja

... Petitioner

Vs.

1.The Member Secretary
Chennai Metropolitan Development Authority,
No 1 Gandhi Irvin Road,
Egmore, Chennai-600008.

2.The Inspector General of Registration,
Santhome High Road,
Chennai 28

3.The District Registrar,
Central Chennai,
No 182, Bharathi Salai,
Chennai 5

4.The Sub Registrar,
Kodambakkam,
Chennai 26



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5.The Rector
M/S Loyola College,
Nungambakkam Chennai 600 034

6.R. Ramakrishnan
Flat No. 507, Vasu Block,
Chitra Avenue,
No.9, Choolaimedu High Road,
Chennai-94,
Representing all the purchasers of UDS Land in Respect of Unauthorised
Floors of all Blocks of Chitra Avenue No 9,
Choolaimedu High Road, Chennai 94.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the third respondent to conduct enquiry and pass orders in terms of Sec.77-A of the Registration Act on the representation dated 03.10.2022 made by the petitioner to cancel all the registered sale deeds in respect of the undivided share of the land (UDS) executed relating to the flats of the unauthorised floors made in violation of the sanctioned plan granted by the first respondent at Survey No 174, 183 , 189 and No.18 of Sowrastra Nagar, 1st Street, Chennai 94 now named as “Chitra Avenue, No 9, Choolaimedu High Road, Chennai 94”.

For Petitioner : Mr.S.Kamadevan

For Respondents :
(for R2 to R.4) : Mr.E.Sundaram, Govt. Advocate
(for R5) : Mr.P.Godson Swaminath



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ORDER

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The relief sought for in the writ petition is to direct the third respondent to conduct enquiry and pass orders in terms of Sec.77-A of the Registration Act on the representation dated 03.10.2022 made by the petitioner to cancel all the registered sale deeds in respect of the undivided share of the land (UDS) executed relating to the flats of the unauthorised floors made in violation of the sanctioned plan granted by the first respondent at Survey No 174, 183 , 189 and No.18 of Sowrastra Nagar, 1st Street, Chennai 94 now named as “Chitra Avenue, No 9, Choolaimedu High Road, Chennai 94”.

2.The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.Nos.4192 of 2018 & etc.,*** batch, and a judgment was delivered on ***15.06.2023*** and the relevant paragraphs of the judgment are extracted hereunder:

“33. In view of the facts and circumstances, the following orders are passed:

(i) In respect of the complaints pending before the District Registrars concerned and the appeals pending before



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the respective Appellate Authorities, the Inspector General of Registration shall direct all the authorities to follow Circular No.1/2023 dated 10.06.2023 strictly for the purpose of disposal of the complaints and the appeals in a consistent manner;

(ii) The Inspector General of Registration is directed to incorporate the further clarifications as stated in this order and issue a fresh Circular within a period of two weeks from the date of receipt of a copy of this order;

(iii) The respondents are directed to relegate the parties to approach Civil Court of Law, in the event of disputed facts regarding civil rights exist between the parties.

(iv) In the event of violation of the guidelines issued by the Inspector General of Registration or the directions issued by this Court or any other lapses, negligence or dereliction of duty is found while performing the duties by the authorities, departmental disciplinary proceedings are to be initiated under the relevant Service Rules.

(v) The Inspector General of Registration is directed to conduct periodical Reviews as warranted under the Rules of Public Administration.”



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3. In view of the fact that the case of the petitioner is also similar to that of the cases (cited *supra*), the case of the petitioner is also to be considered on the same line. Accordingly, this writ petition stands **disposed of**. No costs. Consequences, connected miscellaneous petition is closed.

(sha)

17.07.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

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S.M.SUBRAMANIAM. J.,

(sha)

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