



WEB COPY

W.P.No.22118 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22118 of 2023
and
W.M.P.No.21522 of 2023

M.Gopal

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome,
Chennai – 600 004.

2.The Deputy Inspector General of Registration,
Salem.

3.The District Registrar (Administration),
Krishnagiri,
Krishnagiri District.

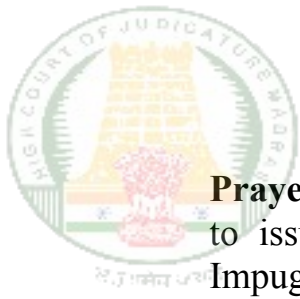
4.The Joint Sub-Registrar-1,
Krishnagiri.

5.M.Muniraj

6.Mrs.Baby

7.The Inspector of Police,
Maharaja Kadai Police Station,
Krishnagiri.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in Impugned Order dated 22.07.2021 in Proceeding No.1936/E2/2021 on the file of the 2nd respondent herein and quash the same and direct the 2nd respondent to withhold all criminal proceedings against the petitioner.

For Petitioner : Mr.S.Sadasharam

For R1 to R4 : Mr.D.Ravichander,
Special Government Pleader

For R7 : Mr.S.Vinothkumar,
Government Advocate (Crl.Side)

ORDER

The order passed by the 2nd respondent in the proceedings dated 22.07.2021 is under challenge in the present writ petition.

2. The writ petition itself has been instituted after a lapse of 2 years from the date of passing of the impugned order and liable to be rejected on the ground of laches.

3. However, the impugned order was passed prior to the insertion of Section 77(A) of the Registration Act. Thus, the order impugned was passed based on Circular No.67 of 2011, which had been subsequently withdrawn by the Government. Therefore, the said order cannot be a basis for claiming any right by either of the parties.



4. It is brought to the notice that a Civil Suit has already been instituted by the 6th respondent, which is pending. Thus, the parties are at liberty to workout their remedy in the Civil Suit or otherwise in the manner known to law.

5. With this liberty, the writ petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

27.07.2023

skr

Index : Yes

Speaking order

To

1.The Inspector General of Registration,
Santhome,
Chennai – 600 004.

2.The Deputy Inspector General of Registration,
Salem.

3.The District Registrar (Administration),
Krishnagiri,
Krishnagiri District.

S.M.SUBRAMANIAM, J.



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4.The Joint Sub-Registrar-1,
Krishnagiri.

5.The Inspector of Police,
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