



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24925 of 2023

K.Pachamuthu

...Petitioner

Vs.

- 1.The District Collector,
Kallakurichi,
Kallakurichi District.
- 2.The Tashildar,
Kallakurichi,
Kallakurichi District.
- 3.The District Registrar(Administration),
Kallakurichi,
Kallakurichi District.
- 4.The Sub-Registrar,
Thiyagadurugam Sub Registrar Office,
Kallakurichi District.
- 5.The Taluk Deputy Surveyor,
O/o.The Tashildar Office,
Kallakurichi, Kallakurichi District.
- 6.The Surveyor,
(Prithiveemangalam Village),
O/o.The Tashildar Office,
Kallakurichi, Kallakurichi District.



7.D.Arun

8.D.Anand

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd Respondent to dispose the representations made by the Petitioner dated 14.10.2022, 01.03.2023 and 27.04.2023 under Section 77-A, of the Registration Act, 1908 and consequential direct the 3rd Respondent to cancel the Sale deed in respect of documents Nos.1728/2022 dated 09.05.2022 registered at the Sub Registrar Office, Thiyyagadurugam and Kallakurichi District.

For Petitioner : Mr.P.Rajavel

For R1 to R6 : Mr.T.Venkatesh Kumar
Special Public Prosecutor

ORDER

The relief sought for in the present writ petition is to direct the 3rd Respondent to dispose the representations made by the Petitioner dated 14.10.2022, 01.03.2023 and 27.04.2023 under Section 77-A, of the Registration Act, 1908 and consequentially direct the 3rd Respondent to cancel the Sale deed in respect of documents Nos.1728/2022 dated 09.05.2022 registered at the Sub Registrar Office, Thiyyagadurugam and Kallakurichi District.



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2. The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.No.4192 of 2018 [A.Selvam vs. The Sub Registrar, Dadagapatti, Salem District] etc., and batch***, and a judgment was delivered on 15.06.2023. In this regard, the Inspector General of Registration has issued a Letter No.19464/U1/2023 dated 10.06.2023 in Circular No.1 of 2023. The relevant paragraphs of the above said judgment are extracted hereunder:

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

1. In respect of the complaints pending before the District Registrars concerned and the appeals pending before 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.

2. 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.

3. The respondents are directed to relegate the



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parties to approach Civil Court of Law, in the event of disputed facts regarding civil rights exist between the parties.

4. 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.

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

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.

4. Accordingly, this Writ Petition stands disposed of. No costs.

23.08.2023

Index:Yes

Neutral Citation:Yes/No

Speaking order

To



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S.M.SUBRAMANIAM, J.

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