



WEB COPY

W.P.No.24431 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24431 of 2023

Mrs.Manjulavani

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome, Chennai.

2.The District Registrar,
Thiruvallur District,
Thiruvallur.

3.The Sub-Registrar,
Ponneri Taluk, Ponneri,
Thiruvallur District.

4.P.Babu Prasad

5.Boodeviyammal

6.P.Mageshwari

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to consider the petitioner representation dated 07.06.2022 and take necessary action.



For Petitioner

: Mr.R.Dinesh Kumar

For R1 to R3

: Mr.D.Ravichander

Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation of the petitioner dated 07.06.2022.

2. The petitioner states that she submitted a representation to the Sub-Registrar, Ponneri Taluk to cancel the forged documents.

3. The Sub-Registrar is not a competent authority to invoke powers under Section 77-A of the Registration Act. More so, the document was registered in the year 2006. That apart, the amendment of Section 77-A of the Registration Act was made with effect from 16.08.2022. In respect of the documents registered several years back the power under Section 77-A cannot have retrospective effect, so as to cancel the document, which was registered, prior to the amendment made with effect from 16.08.2022.



WEB COPY

4. The learned counsel for the petitioner states that the petitioner was in United States of America (USA) at the time of registration in the year 2006 and it was fraudulently registered. This being the factum, the petitioner is at liberty to approach the Civil Court of law for the purpose of declaring the document as null and void and for the purpose of redressal of her grievances.

5. With this liberty, this Writ Petition stands disposed of. No costs.

18.08.2023

veda/Jeni

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

1.The Inspector General of Registration,
Santhome, Chennai.

2.The District Registrar,
Thiruvallur District,
Thiruvallur.

3.The Sub-Registrar,
Ponneri Taluk, Ponneri,
Thiruvallur District.



WEB COPY



W.P.No.24431 of

S.M.SUBRAMANIAM, J.

Veda/Jeni

W.P.No.24431 of 2023

18.08.2023