



WEB COPY

W.P.No.25443 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25443 of 2023

S.P.Jagadeesan

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Santhome,
Chennai – 600 028.
- 2.The Deputy Inspector General of Registration,
Integrated Building Complex,
Kumaragiri Bypass Road,
Kamarajar Nagar Colony,
Salem District- 636 014.
- 3.The District Registrar (Salem West),
Collectorate, Salem,
Salem District - 636 001.
4. Sub-Registrar (Mettur),
Mettur Taluk,
Salem District - 636 401.
5. The Tahsildar,
Mettur Taluk,
Mettur,
Salem District- 636 401.



6. Chandran @ Chandrasekaran

7. Saravanan

8. Kavitha

9. Selvaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 3rd respondent to pass final order on the application dated 05.08.2021 which was originally filed u/s.68(2) of Registration Act which was converted into section 77(A) of Registration Act by an order dated 25.04.2023 on the file of the 1st respondent and to cancel the sale deed registered by the 4th respondent in favour of the 9th respondent in D.No.1897/2021 dated 17.03.2021 submitted by the respondents 6 to 8 in respect of the property in S.No.187/1B2 to the extent of 12 ³/₄ cents situated at Veerakkalpudur Village, Mettur Taluk.

For Petitioner : Mr.V.Elangovan

For Respondents 1 to 5 : Mr.E.Sundarram,
Government Pleader.

ORDER

The relief sought for in the present writ petition is to direct the 3rd respondent to pass final order on the application dated 05.08.2021, which was originally filed u/s.68(2) of Registration Act which was converted into



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section 77(A) of Registration Act by an order dated 25.04.2023 on the file of the 1st respondent and to cancel the sale deed registered by the 4th respondent in favour of the 9th respondent in D.No.1897/2021 dated 17.03.2021 submitted by the respondents 6 to 8 in respect of the property in S.No.187/1B2 to the extent of 12 3/4 cents situated at Veerakkalpudur Village, Mettur Taluk.

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 judgement 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*



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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 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.*



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(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.

30.08.2023

nl/gvn

Index : Yes

Speaking order

Neutral Citation : Yes

To

1.The Inspector General of Registration,
Tamil Nadu Government Registration Department,
No.100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.

2.The Deputy Inspector General of Registration,
Integrated Building Complex,
Kumaragiri Bypass Road,
Kamarajar Nagar Colony,
Salem District- 636 014.



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3. The District Registrar (Salem West),
Collectorate, Salem,
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4. Sub-Registrar (Mettur),
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5. The Tahsildar,
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S.M.SUBRAMANIAM, J.

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