



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25435 of 2023

K.Sakthivel

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road, Santhome,
Chennai – 600 028.

2.The District Registrar (Administration),
Chennai South,
Jeenis Road, Saidapet,
Chennai – 600 015.

3.The Sub-Registrar, Alandur,
15/17, Military Quarters,
Alandur, Chennai – 600016.

4.A.Vimalchand Surana

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second and third respondents to forthwith cancel the bogus Sale Agreement dated 31.10.2014 bearing Document No.4462 of 2014 registered in the office of the third respondent,



executed by one Palanivel in favour of the fourth respondent in terms of the Circular No.41530/U1/2017 dated 31.07.2018 issued by the first respondent and as per section 77A of the Registration Act.

For Petitioner : Mr.K.Shahul Hameed

For Respondents 1 to 3 : Mr.G.Krishna Raja
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the second and third respondents to forthwith cancel the Sale Agreement dated 31.10.2014 bearing Document No.4462 of 2014 registered in the office of the third respondent, executed by one Palanivel in favour of the fourth respondent in terms of the Circular No.41530/U1/2017 dated 31.07.2018 issued by the first respondent and as per section 77A of the Registration Act.

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 & another Vs. The Sub Registrar, Salem District] etc., and batch***, and a judgment was delivered on 15.06.2023 and the relevant paragraphs of the judgment are extracted hereunder:



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“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 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,



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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.”

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.

29.08.2023

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Index : Yes
Speaking order



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To

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S.M.SUBRAMANIAM, J.

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