



W.P.No.24806 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24806 of 2017

K.M.Narayanaswamy,
represented by his Power Agent
N.Padmavathy,
Door No.42, Ayyampettai Village,
Nadu Theru,
Kanchipuramm.

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Mylapore, Chennai – 600 004.
- 2.The District Registrar,
Chennai South Registration District,
Saidapet, Chennai – 600 015.
- 3.The Sub Registrar,
Sub Registrar Office,
Saidapet, Chennai – 600 015.
- 4.K.G.Lakshminarayanan
- 5.V.S.Govindan
- 6.S.Divyasena
- 7.B.P.Haribabu



8.L.Revathi

9.K.G.Lakshminarayanan

10.S.Kumaravelu

represented by his Power Agent,
K.Manjula, W/o.S.S.Kumaravelu,
No.37/62, South West Boag Road,
T.Nagar, Chennai – 600 017.

11.K.C.Chandrasekaran

12.Rani Chandrasekaran

13.Dr.R.Guruswamy

14.G.Sasikala

15.M.Rubesh Kumar

16.S.Rajameni

17.R.Meera

18.N.Sriram

represented by his Power Agent,
R.Krishnamoorthy,
No.5, Vasanth Apartments,
1. A. Singanna Chetty Street,
Chinthadripet, Chennai – 2.

19.B.Gayathri

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent herein to carry out / effect corrections in his records in terms of the order dated 24.11.2016



bearing No.15197/A3/2016 passed by the 2nd respondent herein in, thus render the Sale Deeds bearing Nos.2597/2003, 2981/2003, 3758/2003, 4107/2003, 4108/2003, 4109/2003, 4110/2003, 4519/2003, 954/2003 and 6753/2007 as invalid.

For Petitioner	: Mr.V.Anil Kumar
For R1 to R3	: Mr.D.Ravichander Special Government Pleader
For R5	: Mr.B.Ravi
For R6 & R7	: Mr.A.Ananda Kumar
For R10, R11, R13 & R14	: Mr.Ramesh Venkatachalapathy
For R16	: Mr.S.Saravanan
For R18	: No Appearance
For R4, R8, R9, R12, R15, R17 & R19	: Not Ready in Notice

ORDER

The relief sought for in the present writ petition is to direct the third respondent to carry out / effect corrections in his records in terms of the order dated 24.11.2016 passed by the second respondent and thus, render the Sale Deeds bearing Nos.2597/2003, 2981/2003, 3758/2003, 4107/2003,



4108/2003, 4109/2003, 4110/2003, 4519/2003, 954/2003 and 6753/2007 as invalid.

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2. The petitioner states that he is the absolute owner of the property more fully described in the present writ petition. The claim of the petitioner is that a fraudulent document has been registered at the instance of the respondents four to sixteen and in this regard, the petitioner submitted a complaint before the District Registrar based on Circular No.67 dated 03.11.2011. Thereafter, the District Registrar directed the Sub Registrar to initiate appropriate action and ordered for the cancellation of the document. However, the aggrieved opposite parties preferred an Appeal before the Inspector General of Registration, which was pending during the relevant point of time. Meanwhile, the Circular No.67 dated 03.11.2011 has been withdrawn by the Government and thereafter, an amendment came into effect and Section 77-A was inserted in the Registration Act.

3. It is brought to the notice of this Court that the parties have registered a criminal complaint, which is also pending on account of the interim stay granted by the High Court. In view of the fact that the order



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passed by the District Registrar by exercising the powers based on the Circular No.67 cannot be now enforced on account of the subsequent amendments made in the Registration Act.

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4. In view of the insertion of Section 77-A of the Registration Act, the petitioner is at liberty to workout his remedy in the manner known to law.

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

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Index : Yes
Speaking order
Neutral Citation : Yes



To

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2.The District Registrar,
Chennai South Registration District,
Saidapet, Chennai – 600 015.

3.The Sub Registrar,
Sub Registrar Office,
Saidapet, Chennai – 600 015.



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S.M.SUBRAMANIAM, J.

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