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W.P.Nos.25005 and 25006 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.25005 and 25006 of 2017

and

W.M.P.Nos.26389 and 26390 of 2017

W.P.No.25005 of 2017

Mr.T.Rajendran

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High road,
Foreshore Estate,
Chennai – 600 028.
- 2.The Deputy Inspector General of Registrar,
The Deputy Inspector General of Registrar Office,
Collectorate Campus,
Sathuvachari,
Vellore – 1.
- 3.The District Registrar,
The District Registrar Office,
No.11, Gandhi Nagar 5th Street,
Thiruvannamalai Railway Station,
Thiruvannamalai.
- 4.The Joint Sub-Registrar II,
Joint Sub-Registrar – II Office,



Anna Salai,
Thiruvannamalai – 606 601.

5.Mrs.Vasanth

6.Mrs.Malar

7.Mr.Naga Shankar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st to 3rd respondents to conduct an enquiry on the basis of the petitioner representation dated 14.09.2017 pertaining to his property which sold by the fifth and sixth respondents in favour of the seventh respondents herein.

For Petitioner : M/s.N.Kumar Rajan

For R1 to R4 : Mr.C.Jayaprakash,
Government Advocate

For R5 to R7 : No appearance

W.P.No.25006 of 2017

Mr.T.Rajendran

... Petitioner

Vs.

1.The District Collector,
District Collectorate Office,
Tiruvannamalai District.

2.The Revenue Divisional Officer,
Tiruvannamalai Sub-Division,
Annasalai,



Thiruvannamalai Taluk,
Thiruvannamalai District – 606 601.

3.The Tahsildar,
Office of the Tahsildar,
Annasalai,
Thiruvannamalai Taluk,
Tiruvannamalai District – 606 601.

4.Mrs.Vasantha

5.Mrs.Malar

6.Mr.Naga Shankar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent for transfer of patta for the petitioner's property on the representation made by him dated 22.11.2016.

For Petitioner : M/s.N.Kumar Rajan

For R1 to R3 : Mr.C.Jayaprakash,
Government Advocate

For R4 to R6 : No appearance

COMMON ORDER

The writ petition ins W.P.No.25005 of 2017 has been filed for directing the 1st to 3rd respondents to conduct an enquiry on the basis of the representation dated 14.09.2017 submitted by the petitioner pertaining to his



property which sold by the 5th and 6th respondents in favour of the 7th respondents.

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2. The writ petition in W.P.No.25006 of 2017 has been filed for directing the 3rd respondent for transfer of patta for the property of the petitioner based on the representation dated 22.11.2016 made by the petitioner.

3. The grievances of the writ petitioner is that a Sale Deed has been executed fraudulently by respondents 5 to 7 in W.P.No.25005 of 2017 and a complaint was given to cancel the Sale Deed based on the Circular No.67 of 2011 issued by the Government.

4. The learned Government Advocate has brought to the notice of this Court that the said Circular has already been withdrawn and therefore, the complaint is not entertainable. Subsequently, an amendment has been made in the Registration Act and Section 77-A has been inserted to deal with the documents registered fraudulently or through impersonation.



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5. In view of the amendment effected under Section 77-A of the Registration Act, the petitioner is at liberty to approach the competent authorities for the purpose of cancellation of document for conducting an enquiry in the manner known to law and thereafter, necessary changes are to be made in the revenue records by filing appropriate application.

6. With this clarification, these writ petitions stand disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

13.07.2023

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Index : Yes

Speaking order

Neutral Citation : Yes

To

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

2. The Deputy Inspector General of Registrar,
The Deputy Inspector General of Registrar Office,
Collectorate Campus,
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3. The District Registrar,
The District Registrar Office,
No.11, Gandhi Nagar 5th Street,
Thiruvannamalai Railway Station,
Thiruvannamalai.
4. The Joint Sub-Registrar II,
Joint Sub-Registrar – II Office,
Anna Salai,
Thiruvannamalai – 606 601.
5. The District Collector,
District Collectorate Office,
Thiruvannamalai District.
6. The Revenue Divisional Officer,
Thiruvannamalai Sub-Division,
Annasalai,
Thiruvannamalai Taluk,
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7. The Tahsildar,
Office of the Tahsildar,
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S.M.SUBRAMANIAM, J.

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