



W.P(MD)No.472 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.472 of 2023

P.Ammani

... Petitioner

Vs.

1.The District Registrar,
Trichy District, Trichy.

2.The Sub Registrar,
Thuvarankuruchi,
Trichy District.

3.Vallan

4. Nachammal

5. Ponnusamy

6. Azhagarsamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider petitioner representation dated 22.11.2022.



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For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.N.Satheeskumar,
Addl. Government Pleader for R1 & R2.
Mr.G.Gomath Sankar for R4 & R6.
No appearance for R5.

ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 and 2 and the learned counsel for the respondents 4 and 6.

2.The petitioner seeks cancellation of a document registered on 22.02.2013. Vide order dated 02.01.2023 in W.P.(MD)No.6947 of 2019 (E.Geetha Helan Alexandria and Others Vs. The Joint Sub Registrar No.II, Dindigul and Others),, I had held that the petitioner cannot take advantage of subsequently issued circulars as well as Section 77A of the Registration Act. I had held that these provisions will not apply retrospectively. During the year 2013, Circular No.67 alone was in force. Even that was withdrawn subsequently. Orders passed under the said circular were ordered to be recalled. In these circumstances, the petitioner has to establish her civil rights only before the jurisdictional Civil Court.



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3. Granting such liberty to the writ petitioner, the writ petition is disposed of. No costs.

31.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

1. The District Registrar,
Trichy District, Trichy.

2. The Sub Registrar,
Thuvarankuruchi,
Trichy District.



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G.R.SWAMINATHAN, J.

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