



W.P(MD)No.1691 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1691 of 2022

and

W.M.P.(MD)No.1491 of 2022

Alagappan

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai-600 028.

2.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.

3.The District Registrar,
District Registrar Office,
Pudukkottai,
Pudukkottai District.

4.The Sub-Registrar,
Sub Registrar Office,
Ponnamaravathi,
Sivagangai District.

5.Subbaiah

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to cancel the fraudulent Sale Deed registered by the 5th respondent at 4th respondent Sub - Registrar Office as Document No.39/1994, dated 21.01.1994.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 to R4
: Mr.R.Senthil Kumar for R5

ORDER

Heard both sides.

2. The prayer in the writ petition is for cancelling the sale deed dated 21.01.1994 registered on the file of the fourth respondent. During the relevant time, there was neither any statutory provision nor any circular empowering the authority to do so. I have already held that Section 77 A of the Registration Act is not retrospective. The petitioner has to necessarily establish his rights only before the jurisdictional Civil Court. Granting such liberty to the petitioner, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

04.10.2023

Index : Yes / No
Internet : Yes/ No
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To

1. The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai-600 028.
2. The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.
3. The District Registrar,
District Registrar Office,
Pudukkottai,
Pudukkottai District.
4. The Sub-Registrar,
Sub Registrar Office,
Ponnamaravathi,
Sivagangai District.



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G.R.SWAMINATHAN, J.

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