



W.P(MD)No.1809 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.1809 of 2022

M.Rengasamy

... Petitioner

**Vs.**

1.The District Registrar,  
Sivagangai,  
Sivagangai District.

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

3.Muthurakku Ammal

4.Meenal

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in his proceedings O.Mu.No.558/E1/2021 dated 08.03.2021 and quash the same as illegal, consequently directing the 1st respondent to conduct enquiry and take appropriate action U/s.68 and 83 of the Registration Act.



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For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.K.Balasubramani  
Special Government Pleader for R1 & R2

### **ORDER**

The learned counsel who filed the writ petition reports no instructions. It is stated that papers have already been returned to the petitioner. The petitioner has not made any alternative arrangements.

2. I went through the contents of the affidavit filed in support of the writ petition. The petitioner wants cancellation of the sale deed executed way back in the year 1960. I have already held that Section 77A of the Registration Act is not retrospective. Even the circulars which enabled the district registrars to conduct enquiry into the registration of the fraudulent document were issued only in the year 2017-18. Circulars will not have any retrospective effect.

3. Looked at from any angle, the relief sought for in the writ petition cannot be granted. The petitioner has to establish his rights only before the jurisdictional civil court.

4. With this liberty to the petitioner, the writ petition is dismissed. No costs.

**04.10.2023**

Index : Yes / No  
Internet : Yes/ No  
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To

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Sivagangai,  
Sivagangai District.
- 2.The Sub Registrar,  
Sub Registrar Office,  
Manamadurai,  
Sivagangai District.



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**G.R.SWAMINATHAN, J.**

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