



W.P(MD)No.2802 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2802 of 2023

Avvayar

Vs.

... Petitioner

1.The Deputy Inspector General of Registration,
Rajagambeeram,
Thirumogoor Road,
Othakadai,
Madurai.

2.The District Registrar,
Dindigul District,
Dindigul.

3.The Sub Registrar,
Sub Registrar Office,
Kannivadi,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent to cancel the sale deeds in respect of survey No.321/3 situated at Velan Servairanpatti, Thethupatti, Dindigul West Taluk, Dindigul District on the basis of the representation given by the petitioner dated 24.12.2022 and 23.01.2023 within a stipulated time fixed by this Court.



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For Petitioner : Mrs.J.Balameenakshi
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner is aggrieved by the execution of the registration of the petition mentioned document. The basic document was executed in the year 2008. The petitioner invokes Section 77 A of the Registration Act, 1908.

3. I have consistently held that the circulars issued by the IG of Registration as well as Section 77 A of the Act will not apply retrospectively.

4. For the reasons set out vide order dated 02.01.2023 in W.P.(MD)No. 6947 of 2019, (E.Geetha Helan Alexandria Vs. Joint Sub Registrar No.II, Dindigul), I am not in a position to direct the second respondent to grant relief to the petitioner. I however make it clear that I have not gone into the merits of the matter. The petitioner can very well establish her rights before the jurisdictional civil Court.



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5. Granting such liberty to the petitioner, the Writ Petition is dismissed.

No costs.

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Index : Yes / No
Internet : Yes/ No
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To

- 1.The Deputy Inspector General of Registration,
Rajagambeeram,
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- 2.The District Registrar,
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G.R.SWAMINATHAN, J.

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