



W.P(MD)No.4206 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4206 of 2023

1.Krishnadass

2.Ramadass

... Petitioners

Vs.

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

2.The Deputy Inspector General of Registration,
Tirunelveli,
Tirunelveli District.

3.The District Registrar (Administration)
Nagercoil,
Kanyakumari District.

4.The Sub Registrar,
Thovalai,
Kanyakumari District.

5.C.Murugan

... 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 official



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respondents to consider the petitioner's representation within a stipulated period as this Court deemed to fit.

For Petitioner : Mr.R.Vidhya

For R1 to R4 : Mr.N.Satheeskumar,
Addl. Government Pleader

ORDER

Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents.

2.The petitioner wants this Court to direct the third respondent to cancel the petition mentioned document that was executed and registered way back in the year 2008.

3. For the reasons set out in the 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. Therefore, I am not in a position to grant relief. The circular issued by the IG



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of Registration in the year 2018 are also not retrospective. The petitioners have to necessarily establish their right before the jurisdictional civil Court.

4. Accordingly, this writ petition is dismissed. I make it clear that the dismissal of this writ petition will not cast any aspersion on the rights of the writ petitioner. of. No costs.

01.03.2023

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

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To:

- 1.The Inspector General of Registration,
100, Santhome High Road, Mandavelipakkam,
Raja Annamalaipuram, Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,
Tirunelveli, Tirunelveli District.
- 3.The District Registrar (Administration)
Nagercoil, Kanyakumari District.
- 4.The Sub Registrar, Thovalai,
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G.R.SWAMINATHAN, J.

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