



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5392 of 2022 AND
W.M.P.(MD)No.4385 & 4386 of 2022

A.Veluchamy

... Petitioner

Vs.

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Mandaivelipakkam,
Raja Annamalaipuram, Chennai.
2. The Deputy Inspector General of Registration,
Registration Department,
Thirumohur, Othakadai, Madurai.
3. The District Registrar,
O/o.the District Registrar,
171, Palace Road, Madurai.
4. The Sub Registrar,
Sindhupatti Sub Registrar Office,
Thirumangalam Taluk,
Madurai.
5. Virumandi
6. Paunraj
7. Perumal
(R-7 is impleaded vide order dated 09.10.2023
in W.M.P.(MD)No.4721 of 2022)

... Respondents

Prayer: Writ petition filed under Article 226 of the
Constitution of India, to issue a Writ of Certiorarified



Mandamus, calling for the records of the fourth respondent in document No.450/2010 dated 29.03.2010 in favour of the fifth respondent on the file of the fourth respondent and quash the same as illegal and unconstitutional and consequently direct the official respondents herein to remove the entry of sale deed in document No.450/2010 dated 29.03.2010 from their records within a time frame that may be stipulated by this Court and to initiate action against the respondents 4 to 6.

For Petitioner : No appearance.

For R-1 to R-4 : Mr.S.Ra.Ramachandran,
Additional Government Pleader.

For R-5 & R-6 : Mr.M.Gnanagurunathan

* * *

ORDER

There is no appearance on the side of the petitioner.

2. However on the last occasion, the learned counsel appearing for the petitioner advanced the arguments and took me through the averments set out in the affidavit filed in support of the writ petition.

3. The petitioner assails the validity of the petition-mentioned document standing in favour of the fifth



respondent. It appears that subsequently the fifth respondent had sold the property in favour of the sixth respondent.

4. I am not in a position to grant relief primarily for the reason that the petitioner cannot invoke Section 77A of the Act or the circular issued by the IG of Registration. I had already held that the circular as well as the statutory provision may not have retrospective operation. It is seen that the daughter of the fifth respondent had already filed O.S.No.280 of 2021 seeking the relief of declaration and permanent injunction. The petitioner Veluchamy is shown as the sole defendant. It is for the petitioner to raise all the contentions in the pending suit. It is also open to the petitioner to file an independent suit if he is so advised.

5. With this liberty to the petitioner, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

09.10.2023

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



WEB COPY



4

W.P.(MD)NO.5392 OF 2022

G.R.SWAMINATHAN,J.

PMU

To:

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Mandaivelipakkam,
Raja Annamalaipuram,
Chennai.
2. The Deputy Inspector General of Registration,
Registration Department,
Thirumohur, Othakadai,
Madurai.
3. The District Registrar,
O/o.the District Registrar,
171, Palace Road,
Madurai.
4. The Sub Registrar,
Sindhupatti Sub Registrar Office,
Thirumangalam Taluk,
Madurai.

W.P.(MD)No.5392 of 2022

09.10.2023



WEB COPY



5

W.P.(MD)NO.5392 OF 2022