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W.P.(MD)NO.6223 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6223 of 2022

A.C.Kamaraj

... Petitioner

Vs.

The District Registrar,
Madurai North Registration District,
Madurai.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to consider the representation of the petitioner dated 21.02.2022 in the light of the circular under letter No.41530/U1/2017 dated 08.11.2017 and to pass orders on merits and in accordance with law within the stipulated time frame.

For Petitioner : Mr.Krishnan,
for Mr.K.R.Laxman.

For Respondent : Mr.M.Sidharthan,
Additional Government Pleader.

* * *

ORDER

Heard both sides.



2. The petitioner has submitted representation dated 21.02.2022 for cancelling the series of documents that were executed and registered right from the year 2006. This writ petition has to be dismissed for more than one reason. Firstly, the necessary parties have not been added as parties in the writ petition. The petitioner has referred to circular No.67 dated 03.11.2011 which had been withdrawn long back. The petitioner relied on Section 77A of the Registration Act. Section 77A of the Act does not confer power on the respondent to cancel the document what has already been registered. In these circumstances, the petitioner has to necessarily wait for the decision of the Hon'ble Larger Bench on the applicability of Section 77A of the Act. The petitioner can very well renew his request after pronouncement of the judgment by the Hon'ble Larger Bench.

3. With this liberty to the petitioner, this writ petition stands dismissed. No costs.

09.10.2023

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



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3

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To:

The District Registrar,
Madurai North Registration District,
Madurai.



WEB COPY



4

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G.R.SWAMINATHAN,J.

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