



W.P(MD)No.10325 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.10325 of 2023

G.Ayyankalai

... Petitioner

Vs.

1.The Inspector General of Registration,
Chennai.

2.The Deputy Inspector General of Registration,
Y.Othakadai,
Madurai.

3.The District Registrar,
Periyakulam.

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider and dispose the petitioners appeal petition dated 28.03.2023 as the Statutory Appeal under Section 77B of the Registration (TN Amendment) Act, 2021 and pass relevant final order accordingly within a stipulated time.

For Petitioner : M/s.N.Karthik Kanna
Advocate.

For Respondents : Mr.M.Prakash
Additional Government Pleader



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ORDER

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The Writ Petition has been filed in the nature of a mandamus seeking a direction to the second respondent to dispose of an appeal filed by the petitioner on 28.03.2023 as statutory appeal under Section 77(B) of the Registration (Tamil Nadu Amendment) Act, 2021.

2. The petitioner had grievances and had presented representations under Section 77(A) of the Act before the third respondent / District Registrar, Periyakulam. That particular application which had been presented under Section 77(A) was treated as an application under Section 68(2) of the Registration Act, 1908 and orders were passed by the third respondent.

3. Learned counsel for the petitioner raised serious grievances that this was done with malafide intention overlooking the averments made in the application given by the petitioner herein.

4. A direction is therefore given to the second respondent to re-examine the petition already given under Section 77(A) of the Registration Act, 1908. by the petitioner herein and if those averments are made and if it is further found that the third respondent had actually passed an order under Section 68(2) of



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the Registration Act, then interfere with the same and remand the matter back for fresh consideration as an application under Section 77(A) of the Registration (Tamil Nadu Amendment) Act. Before this exercise is done, let notice also be issued to all the concerned parties and thereafter a considered decision may be taken. Such decision should be taken on or before 31.08.2023.

5.This Writ Petition stands disposed of with the above direction. No costs.

20.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

- 1.The Inspector General of Registration, Chennai.
- 2.The Deputy Inspector General of Registration, Y.Othakadai, Madurai.
- 3.The District Registrar, Periyakulam.



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