



WP(MD)No.16596/2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.16596/2014 &
MP(MD)No.2/2014

1.Subbulakshmi
2.Mahadevan

...Petitioners

Vs

1.The District Registrar (Administration),
District Registrar Office,
Madurai South,
Madurai.

2.A.Balamurugan
3.B.Jeyaprabavathi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records in proceedings No. 399/B1/2013 dated 09.09.2014 issued by the first respondent and quash the same, as the same is arbitrary, ultravires, contrary to the provisions of Indian Registration Act XVI of 1908, Circular No.67 and the order dated 17.07.2014 passed in WP.No.15361/2012.



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For Petitioners : Mr.S.R.G.Shankar Ganesh
For Respondents : Mr.J.K.Jeyaseelan,
Additional Government Pleader
for R1
Mr.S.Balasubramanian
for R2 and R3

ORDER

This Writ Petition is filed challenging the proceedings No. 399/B1/2013 dated 09.09.2014 issued by the first respondent.

2. When this Writ Petition is taken up for hearing, the learned counsel for the petitioners expressed his difficulty that he is not having the papers and requested short accommodation.

3. The learned Additional Government Pleader is not also equipped with the bundles.

4. Therefore, this Court perused the files. This Writ Petition is filed as against the notice issued by the first respondent as per the Circular No. 67, dated 03.11.2011. However, the fact remains that the Circular No.67,



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dated 03.11.2011 has already been withdrawn by the Government and it is substituted by way of an amendment to the Indian Registration Act XVI, 1908 under Section 77A of the Act.

5. In view of the subsequent developments, nothing survives for further adjudication in this Writ Petition and therefore, this Writ Petition is closed with a liberty to the first respondent to initiate the proceedings afresh, under Section 77A of the Indian Registration Act XVI, 1908. This petitioners shall also co-operate for the enquiry and are at liberty to challenge the orders, if any, passed against them. No costs. Consequently, the connected Miscellaneous Petition closed.

08.03.2023

NCC: Yes / No
Index :Yes / No
Speaking Order : Yes / No

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To

The District Registrar (Administration),
District Registrar Office,
Madurai South,
Madurai.



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B.PUGALENDHI, J.

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