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W.P.(MD)NO.19538 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.19538 of 2015

P. Lakshmanan

... Petitioner

Vs.

1. The District Registrar,
Administration,
Pudukkottai District.

2. The Sub Registrar,
Kulathur(in) Keeranur,
Pudukkottai District.

3. N.Sirajudin

4. S.Maheshwari

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent (District Registrar, Pudukottai) to cancel the impugned sale deed registered in document No.2846 based on the representation dated 17.08.2015 within the time limit that may be stipulated by this Court by allowing this writ petition.

For Petitioner : Mr.G.Thalaimutharasu

For R-1 & R-2 : Mr.S.Shanmugavel,
Additional Government Pleader.

For R-3 & R-4 : Mr.C.Selvaraj

* * *



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ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2 and the learned counsel appearing for the third respondent.

2. The petitioner wants the District Registrar to cancel the petition-mentioned sale deed. During the relevant time, circular No.67 was in force. But later, it was withdrawn and all the orders made pursuant to the said circular were ordered to be recalled. Subsequently, the circulars were issued by the Inspector General of Registration in respect of fraudulent registrations. Now Section 77A of the Registration Act has been incorporated. I have held that neither the circular nor the newly introduced provision will have retrospective effect. Therefore, the prayer sought for cannot be granted.

3. The petitioner is of course at liberty to establish his rights before the jurisdictional civil Court. The dismissal of



this writ petition will not come in the way. Without casting any aspersion on the petitioner's civil rights and with this observation and clarification, this writ petition stands dismissed. No costs.

24.08.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The District Registrar,
Administration,
Pudukkottai District.
2. The Sub Registrar,
Kulathur(in) Keeranur,
Pudukkottai District.



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G.R.SWAMINATHAN,J.

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