



W.P.(MD)No.20519 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20519 of 2023 and
WMP(MD) Nos.16955 & 16957 of 2023

K.Prasana

... Petitioner

Vs

1.The District Registrar,
Pudukottai,
Pudukottai District.

2.The Sub-Registrar,
Perungalur,
Pudukottai District.

3.Pon.Rathinakumar

4.P.Rajendran

5.M.Muthuswamy

6.B.Ramprakesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.5786/A2/2022, dated 16.06.2023 and quash the same as illegal.



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For Petitioner : Mr.E.Mareeskumar
For R1 & R2 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition as against the order passed under Section 77A of the Registration Act that the first respondent/the District Registrar, Pudukkottai has conducted an enquiry without any authority on the document, which was registered in the year 2019.

2.Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for the respondents 1 & 2 submits that the District Registrar has found that by impersonation, the document has been created and therefore, passed an order for proceeding under Section 82 and 83 of the Registration Act.



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3.The learned counsel appearing for the petitioner claims that in view of the order passed by the first respondent, the third respondent is attempting to mutate the revenue records.

4.This Court considered the rival submissions made.

5.The District Registrar, Pudukkottai has found that by impersonation the document has been created and ordered for registering a criminal case. Therefore, this Court is not inclined to interfere with the order pertaining to the registration of a criminal case as contemplated under Section 82 & 83 of the Registration Act. Insofar as the issue with regard to Section 77A of the Registration Act is concerned, since the matter has been referred to a larger Bench and the same is yet to be decided, there shall not be any change in the revenue records, pursuant to the order impugned in this writ petition, till the outcome of the reference made.



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6. With the above directions, this writ petition is disposed

of. No costs. Consequently, connected Miscellaneous Petitions are closed.

01.09.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

vrn

To

1. The District Registrar,
Pudukottai,
Pudukottai District.

2. The Sub-Registrar,
Perungalur,
Pudukottai District.



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B.PUGALENDHI, J.

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Order made in
W.P.(MD)No.20519 of 2023 and
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