



W.P.(MD) No.11460 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.11460 of 2016

N.Ramalakshmi

... Petitioner

/vs./

1.The Inspector General of Registration,
Santome High Road,
Santhome,
Mylapore, Chennai.

2.The District Registrar of Registration,
Office of the District Collector,
Tirunelveli.

3.The Sub Registrar,
Kalugumalai,
Tirunelveli District.

4.S.Revathi

5.Subburam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to consider the representation given by the petitioner dated 18.05.2016 given to cancel the



W.P.(MD) No.11460 of 2016

fraudulent registration made in document No.1858/2015 registered at the 3rd respondent's office in respect of petitioner's joint family property situated in Kuruvikulam Village, Sankarankovil Taluk, Tirunelveli District on the basis of Circular No. 67 dated 03.11.2011 issued by the 1st Respondent.

For Petitioner : Mr.M.Gnanagurunathan

For R1 to R3 : Mr.M.Ramesh
Government Advocate

For R4 & R5 : Mr.G.Thaveethu

ORDER

The writ petition is seeking for a Mandamus to direct the second respondent to consider the representation given by the petitioner dated 18.05.2016.

2.The reason that is assigned to cancel the registered document No. 1858/2015 on the file of the third respondent is that a fraud has been played in executing the said document. Such issue can be raised before the second respondent, in view of the insertion of Section 77-A of the Registration Act by way of amendment to the Registration Act. Hence, the petitioner is directed to approach the second respondent by filing an application under Section 77-A of



W.P.(MD) No.11460 of 2016

the Registration Act within a period of two weeks from the date of receipt of a copy of this order and the second respondent on receipt of such application, if any, after affording reasonable opportunity to the petitioner and the respondents 4 and 5 herein shall pass appropriate orders on merits and in accordance with law, within a period of twelve weeks thereafter.

3. With the above direction, the Writ Petition is disposed of. However, there shall be no order as to costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

10.01.2023

mm

To

1. The Inspector General of Registration,
Santome High Road,
Santhome,
Mylapore, Chennai.

2. The District Registrar of Registration,
Office of the District Collector,
Tirunelveli.

3/4



WEB COPY



W.P.(MD) No.11460 of 2016

K.KUMARESH BABU, J.

mm

3.The Sub Registrar,
Kalugumalai,
Tirunelveli District.

W.P.(MD) No.11460 of 2016

10.01.2023