



W.P.(MD) No.4845 of 2016.

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2023

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.4845 of 2016

T.Paulsamy

... Petitioner

/vs./

1.The District Registrar,
District Registrar Office,
No.57, Railway Bazar Road,
Thenkasi 627 811.

2.The Sub Registrar,
Sub Registrar Office,
8/3/109, Pavoorchatturam Road,
Susansai,
V.K.Pudur Taluk,
Tirunelveli District.

3.The Manager,
Parangkundrapuram Agricultural Co-operative Bank,
Parangkundrapuram Post Office,
V.K.Pudur Taluk,
Surandai via 627 859
Tirunelveli District.

4.S.Selvachandran

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to conduct an enquiry as per the circular No. 67 passed by the Inspector General of Registration dated 03.11.2011 (C.No.52338/C1/2011) against the respondents 3 and 4 on the basis of the complaint lodged by the petitioner on 28.01.2016.

For Petitioner : Mr.D.Selvanayagam

For R1 & R2 : Mr.M.Ramesh
Government Advocate

For R3 : No appearance

For R4 : Mr.D.Srinivasa Ragavan

ORDER

The writ petition is seeking for a Mandamus to direct the first respondent to conduct an enquiry pursuant to the circular No.67 dated 03.11.2011.

2.The aforesaid circular has been quashed by the Hon'ble Apex Court and thereafter, the State of Tamil Nadu had amended the Registration Act, by inserting Section 77-A empowering the District Registrar to conduct enquiry on fraudulent transaction.



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3. In view of the fact that the circular No.67 had been quashed by the Hon'ble Apex Court, the Mandamus as prayed for in this writ petition could not be granted.

4. The learned counsel for the petitioner would seek liberty to take out an application under the amended Section 77-A of the Registration Act.

5. In view of the above, the Writ Petition is disposed of with liberty to the petitioner to move the first respondent as per Section 77-A of the Registration Act. However, there shall be no order as to costs.

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

09.01.2023

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To

1. The District Registrar,
District Registrar Office,
No.57, Railway Bazar Road,
Thenkasi 627 811.

3/4



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K.KUMARESH BABU, J.

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2.The Sub Registrar,
Sub Registrar Office,
8/3/109, Pavoorchatturam Road,
Susansai,
V.K.Pudur Taluk,
Tirunelveli District.

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