



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.26360 of 2023

Shanmuga Sundaralinga Nagaiyasamy
Kamaya Naicker

... Petitioner

vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2.The District Registrar,
Tiruppur District, Tiruppur.

3.The Sub Registrar,
Komangalam Sub Registrar Office,
Pollachi Taluk.

4.The Deputy Registrar Rank No.4,
Balanganathan, O/o.Sub Registrar,
Madurai.

5.The District Registrar (Administration),
Assistant Registration Rank – 1,
Madurai South, Madurai.



6.K.Saratha

7.J.Sri Bharathan

... Respondents

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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the the second respondent to speedy disposal of the petitioner's appeal in Na.Ka.No.7177/A5/2022 within the time stipulated by this Court.

For petitioner	: Mr.PR.Boomeerajan
For Respondents	: Mr.C.Satheesh, Special Government Pleader for R1 to R5

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 5. Considering the relief to be granted, issuance of notice to R6 and R7 is dispensed with.

2.When the matter was taken up for hearing, the learned Additional Government Pleader raised objection on the ground of territorial jurisdiction. It is true that direction is sought against the second respondent. However, part of the cause of action arose within the jurisdiction of this Court. One of the items covered by the petition mentioned sale deed is located in Madurai. Therefore, this Court will have territorial jurisdiction to entertain this writ



petition. The petitioner has invoked the jurisdiction of the second respondent conferred under Section 77A of the Registration Act, 1908. As pointed out by the learned Additional Government Pleader, the Inspector General of Registration has issued circular directing that all enquiries under Section 77A of the Act shall be put on hold till the larger bench renders its decision. I, therefore, direct the second respondent to take action on the petitioner's complaint on merits and in accordance with law based on the decision of the larger bench.

3.This writ petition is disposed of. No costs.

03.11.2023

Index : Yes / No
Internet : Yes/ No
skm

To

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Chennai.

2.The District Registrar, Tiruppur District, Tiruppur.

3.The Sub Registrar, Komangalam Sub Registrar Office, Pollachi Taluk.

4.The Deputy Registrar Rank No.4, Balanganathan, O/o.Sub Registrar,
Madurai.



5.The District Registrar (Administration),
Assistant Registration Rank – 1,
Madurai South, Madurai.

G.R.SWAMINATHAN, J.



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