



W.P(MD)No.24421 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24421 of 2023

K.Chinnaiah

... Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar Office,
Karaikudi,
Sivagangai District.

2.The Sub Registrar,
Devakottai Sub Registrar,
Devakottai,
Sivagangai District.

3.P.Manickam

4.T.Saravanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to cancel the registered bogus Sale Deed Document No. 3539/2023 dated 01.08.2023 executed by the 3rd respondent in favour of the 4th respondent by considering the petitioner's representation dated 06.09.2023, within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.M.Prakash
Additional Government Pleader for R1 & R2



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ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for R1 & R2. Issuance of notice to the private respondents is dispensed with.

2. The petitioner wants the petition mentioned document to be cancelled as fraudulent. The document was registered on 01.08.2023. This was after the incorporation of Section 77-A of the Registration Act, 1908. The petitioner has given a complaint before the first respondent. In the meanwhile, IG of registration has issued the circular directing that enquiry under Section 77-A of the Act shall not be conducted and it should be kept in abeyance. This is because, the scope and applicability of the said provision is pending consideration before the Larger Bench. The first respondent shall act on the petitioner's representation based on the decision of the Larger Bench.

3. The Writ Petition is disposed of accordingly. No costs.

31.10.2023

Index : Yes / No
Internet : Yes/ No
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To

1. The District Registrar,
Office of the District Registrar Office,
Karaikudi,
Sivagangai District.
2. The Sub Registrar,
Devakottai Sub Registrar,
Devakottai,
Sivagangai District.



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G.R.SWAMINATHAN, J.

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