



W.P(MD)No.24357 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24357 of 2023

K.Backiyaraj

... Petitioner

Vs.

The District Registrar Office,
O/o Madurai South Region,
Madurai,
Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to dispose of petitioner's appeal pending before the Respondent in Na.Ka.No. 9060/AA2/2022 dated 14.11.2022 to cancel the Settlement Deed Registered in Doc.No.2009/2022 dated 27.06.2022 on the file of the Chekkanurani Sub Registrar Office, Madurai District within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.Naveenkumar

For Respondents : Mr.M.Prakash
Additional Government Pleader



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ORDER

The petitioner seeks cancellation of the petition mentioned settlement deed dated 27.06.2022.

2. Since the document was executed and registered before the introduction of Section 77A of the Registration Act, I am not in a position to give a direction to the respondents to cancel the document. But then, even during the relevant time, certain circular issued by the IG of Registration were holding the field and it was open to the respondent if satisfied to declare the document in question as fraudulent.

3. The respondent can very well conclude enquiry and pass final order on the basis of such circular. This exercise shall be undertaken by the respondents and the petition mentioned proceedings shall be concluded within a period of four months from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. The respondent shall put all the interested persons on notice before passing the final order.

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

09.10.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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