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W.P.(MD)NO.24281 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.24281 of 2023 AND
W.M.P.(MD)No.20470 of 2023

Shanmugavalli

... Petitioner

Vs.

1. The Inspector of General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.

2. The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.

3. The Sub Registrar Office,
Thiruppuvanam,
Sivagangai District.

4. Dharmaraja

5. Vanitha Mahesh

6. Sivaraman

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to cancel the Doc.No. 6459/2010 dated



20.09.2010 registered at 3rd respondent's Sub Registrar Office for the petitioner's family properties of bearing Survey No. 59/1B - with an extent of 1 Acre 9 Cents, Survey No. 68/3 - with an extent of 1 Acres 43 cents, Survey No. 68/3B - with an extent of 2 Acres 46 Cents and Survey No. 59/1A - with an extent of 2 Acres 41 Cents situated at Maruthankulam Village, Kalathur Group, Thiruchuzhi Taluk, Virudhunagar District by the respondents 4 to 6.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.C.Satheesh,
Government Advocate.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

2. The petitioner seeks cancellation of the petition-mentioned documents. The petitioner obviously invokes Section 77A of the Registration Act. I had already held that this section cannot operate retrospectively and the petitioner cannot take advantage of the circular issued by the



IG of Registration. The petitioner has to necessarily establish the same before the jurisdictional civil Court for relief.

Granting such liberty, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Inspector of General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.
2. The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.
3. The Sub Registrar Office,
Thiruppuvanam,
Sivagangai District.



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G.R.SWAMINATHAN,J.

PMU

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