



W.P(MD)No.24944 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24944 of 2023

Nandhakumar

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.120, Santhome High Road,
Chennai – 600 028.

2.The District Registrar (Administration),
Office of the Registration Department,
Madurai, Madurai District.

3.The Sub Registrar,
Sub Registrar Office,
Thamaraipatti, Madurai District.

4.A.Sivasankaran

5.V.Malaisamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the Sale deed vide Document No.4433/2002



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registered on the file of the third respondent in connection with property comprised in Old Survey Nos.341/6, 341/5B, 341/1B, New Survey No. 45/6, 45/5B, 45/1B to an extent of 1 Acre 90 cents, Joint Patta No.1492 situated at Kallanthiri 2nd Bit, Madurai North Taluk, Madurai District, as per circular No.41530/U1/2017 dated 31.07.2018 and Circular No. 20217/U1/2021 dated 09.07.2021 issued by the first respondent, based on the petitioner's representations dated 16.01.2023 within the time frame stipulated by this Court.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.

2. The petitioner seeks cancellation of the sale deed executed and registered in the year 2002. I have been consistently holding the Section 77-A of the Registration Act, 1908 cannot operate retrospectively. The issue is pending consideration before the larger Bench.

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3. The second respondent will take a call on the petitioner's representation after the larger Bench / Hon'ble Division Bench renders its opinion.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

16.10.2023

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

MGA

To

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G.R.SWAMINATHAN, J.

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