



W.P(MD)No.24965 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24965 of 2023

and

W.M.P.(MD)Nos.21156 & 21157 of 2023

V.Sagaya Joseph

... Petitioner

Vs.

1.The District Registrar,
District Registration Office,
Dindigul.

2.The Sub Registrar,
Sanarpatti Sub Registration Office,
Dindigul District.

3.Sri Gokulam Chit & Finance Company (P) Ltd.,
Rep. by its Branch Manager,
Mr.P.Gopinath,
Ashok Nagar,
Dindigul – 624 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, calling for
the records of the first respondent pertaining to the impugned order made



W.P(MD)No.24965 of 2023

in NA.KA.No.1201/AA3/2023 dated 20.09.2023 and quash the same as illegal and arbitrary and consequently direct the respondents 1 and 2 not to allow the third respondent to make any further encumbrance with regard to Survey No.654 total extent as 2 acres 41 cents which is situated at Vembar patti Village within the Sanarpatti Sub Registration Office, Dindigul East Taluk, Dindigul District and within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mr.C.Satheesh
Government Advocate for R.1 & R.2

R.3 – Notice Dispensed With

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents. Considering the nature of relief to be granted, issuance of notice to the third respondent is dispensed with.

2. The petitioner questions the impugned notice proposing to hold enquiry under Section 77-A of the Registration Act, 1908. The Inspector General of Registration has issued Circular No.3/2023 dated 29.09.2023



W.P(MD)No.24965 of 2023

directing the District Registrars not to hold any enquiry into complaints filed under Section 77-A of the Registration Act till the Larger Bench pronounces its decision on the validity and scope of Section 77-A of the Act. Therefore, the impugned proceedings shall be put on hold. The first respondent will take a call after the Larger Bench renders its decision.

3. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

16.10.2023

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

MGA

To

- 1.The District Registrar,
District Registration Office,
Dindigul.
- 2.The Sub Registrar,
Sanarpatti Sub Registration Office,
Dindigul District.

3/4



WEB COPY



W.P(MD)No.24965 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.24965 of 2023
and
W.M.P.(MD)Nos.21156 & 21157 of 2023

16.10.2023