



W.P(MD)No.25843 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25843 of 2023

M.Sellamuthu

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Karur District Collectorate,
Karur District.

2.The Sub Registrar,
Krishnarayapuram Sub Registrar Office,
Karur District.

3.Arumugam

... 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 first respondent to conduct enquiry and to cancel the documents registered by the second respondent in Document No.1806/2020, 1754/2020, 2773/2020 on merits by considering the petitioner's representation dated 17.10.2022 within a time frame fixed by this Court.

For Petitioner : Mr.S.Sundarapandian

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 & R2



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ORDER

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Heard the learned counsel for the petitioner and the learned Special Government Pleader for R1 & R2.

2. The documents were executed prior to incorporation of Section 77(A) of the Registration Act. According to the petitioner, the documents are fraudulent in nature.

3. Therefore, the first respondent can very well conduct an enquiry in terms of the circulars issued by the IG of Registration. Section 77A of the Act cannot be invoked. The first respondent is directed to dispose of and pass final order on the petition mentioned representation with reference to the following circulars:-

(I) Letter No.41530/U1/2017, dated 31.07.2018

(II) Letter No.41530/U1/2017, dated 21.12.2020

This exercise shall be completed 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 first respondent shall pass final order only after holding a proper enquiry and after issuing notice to all the parties concerned.

4. The writ petition is disposed of. No costs.

30.10.2023

Index : Yes / No
Internet : Yes/ No
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- To
- 1.The District Registrar,
District Registrar Office,
Karur District Collectorate,
Karur District.
 - 2.The Sub Registrar,
Krishnarayapuram Sub Registrar Office,
Karur District.



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G.R.SWAMINATHAN, J.

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