



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28533 of 2022

A.Murugan

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhom High Road,
Chennai.
2. The Deputy Inspector General of Registration,
Tirunelveli Region,
Tirunelveli.
3. The District Registrar,
Palayamkottai,
Tirunelveli District.
4. The Sub Registrar,
Palayamkottai Joint-II,
Palayamkottai,
Tirunelveli District.

5. Velmurugan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent to dispose of the petitioner's appeal dated 06.06.2022 under Section 77-A of Tamil Nadu Registration Act 1908, in respect of the petitioner's property in old S.F.No.15/6, New S.F.No.15/6B situated at Vijaya



Ragave Muthaliyar Chathiram Village, Palayamkottai Taluk,
Tirunelveli District within the stipulated time fixed by this
Court.

For Petitioner : Mr.S.Gokul Raj

For R-1 to R-4 : Mr.N.Sathees Kumar,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 to 4.

2. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.

3. The petitioner purchased the petition mentioned property on 02.09.2010 under a registered document. According to the petitioner, the fifth respondent is setting up rival title based on a legally unsustainable transaction. The



learned counsel appearing for the petitioner would allege that the fifth respondent has anchored his entire case on the sale deed dated 15.06.1996. It was cancelled by the executant on 13.08.1997. It is alleged that the fifth respondent is suppressing the factum of cancellation.

4. The petitioner has submitted an appeal before the third respondent under Section 77-A of the Registration Act, 1908. The third respondent is directed to dispose of the same on merits and in accordance with law within a period of five months from the date of receipt of a copy of this order. The third respondent shall put the fifth respondent on notice before passing final order. The petitioner shall also be heard. I make it clear that I have not gone into the merits of the matter.

5. This writ petition stands disposed of. No costs.

02.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



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G.R.SWAMINATHAN,J.



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