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W.P.(MD)NO.29138 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.29138 of 2022

Elumalai

... Petitioner

Vs.

1. The District Registrar,
District Registrar's Office,
District Court Campus,
Trichy -1,
Trichy District.

2. The Sub Registrar,
Thiruverumbur Sub Registrar Office,
Thiruverumbur,
Trichy District.

3. Jayakumar

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to conduct an enquiry on the petitioner's representation dated 18.09.2022 and conclude the same within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For R-1 & R-2 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-3 : M/s.Sheena Palanivelu

* * *



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ORDER

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

2. The petitioner seeks cancellation of the registered sale deed executed as early as in the year 1982. He would further contend that based on the document, several subsequent documents were taken place. In the typed set of papers, a copy of the sale deed dated 20.07.2022 has also been enclosed. The petitioner's basic attack is only on the document executed in the year 1982.

3. Since the document sought to be cancelled was executed before Section 77A of the Registration Act came into force, it cannot be applied. For the reasons set out in the order dated 24.01.2023 made in W.P.(MD) No.18691 of 2022, the relief sought for in the writ



petition cannot be granted. It is for the petitioner to work out his rights before the jurisdictional civil Court. Granting such liberty to the petitioner, this writ petition stands dismissed. No costs.

27.01.2023

NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The District Registrar,
District Registrar's Office,
District Court Campus,
Trichy -1,
Trichy District.
2. The Sub Registrar,
Thiruverumbur Sub Registrar Office,
Thiruverumbur,
Trichy District.



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G.R.SWAMINATHAN,J.

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