



Order dated 15.02.2024
in W.P.No.3491 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.02.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3491 of 2024

Mrs.Rosy & Rajeswari

.. Petitioner

Vs.

1. The District Registrar,
South Chennai Registration District,
Veterinary Hospital Road,
Nandanam, Chennai-600 035.
2. Assistant Divisional Engineer,
Tamil Nadu State Highways,
Then Tambaram Sub-Division,
Presently Velachery Sub-Division,
Velachery, Chennai-600 042.
3. The District Collector,
Chennai District,
Singaravelar Maaligai,
George Town,
Chennai-600 001.
4. The District Revenue Officer,
Chennai District,
Office of the District Collector,
Singaravelar Maaligai,
George Town, Chennai-600 001.
5. The Tahsildar,
Velachery Taluk,
Seva Nagar, Velachery,

Page No.1/6



Order dated 15.02.2024
in W.P.No.3491 of 2024

Chennai-600 042.

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6. M/s.V.G.P.Housing Pvt. Ltd.,
Rep. by its Managing Director,
V.G.P.Square,
No.21, Dharmaraja Koil Street,
Saidapet, Chennai-600 015.

7. Mr.Suresh Babu

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to enquire and pass orders on the petitioner's representation dated 16.08.2023 pending on the file of the first respondent in proceedings No.16529/E2/2023 and thereby cancel the registration of (i) the sale deed bearing No.1454 of 1974 dated 06.12.1974 executed in the name of the sixth respondent and registered before the Sub-Registrar, Saidapet, (ii) the sale deed bearing No.1455 of 1974, dated 06.12.1974, executed in the name of the sixth respondent and registered before the Sub-Registrar, Saidapet, and (iii) the Power of Attorney dated 07.02.2012 registered as document bearing No.119 of 2012, executed by the sixth respondent in the name of the seventh respondent and registered before the Sub-Registrar, Velacherry.

For petitioner : Mr.R.Balachandran

For respondents: Mr.U.Baranidharan, Addl.G.P. for RR-1 to 5



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Order dated 15.02.2024
in W.P.No.3491 of 2024

ORDER

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Mandamus to direct the first respondent to enquire and pass orders on the petitioner's representation dated 16.08.2023 pending on the file of the first respondent in proceedings No.16529/E2/2023 and thereby cancel the registration of (i) the sale deed bearing No.1454 of 1974 dated 06.12.1974 executed in the name of the sixth respondent and registered before the Sub-Registrar, Saidapet, (ii) the sale deed bearing No.1455 of 1974, dated 06.12.1974, executed in the name of the sixth respondent and registered before the Sub-Registrar, Saidapet, and (iii) the Power of Attorney dated 07.02.2012 registered as document bearing No.119 of 2012, executed by the sixth respondent in the name of the seventh respondent and registered before the Sub-Registrar, Velacherry.

2. The Writ Petition is filed for a Mandamus to conduct enquiry and since with regard to the issue under Section 77-A of the Registration Act, there is divergent view and the same is pending before the Larger Bench of this Court, which has been constituted and as the Larger Bench is seized of the matter and



Order dated 15.02.2024
in W.P.No.3491 of 2024

unless the Larger Bench decides the issue and reference is answered, no Registrar can conduct enquiry under Section 77-A regarding the forgery of the document. Hence, the petitioner has to either wait for the outcome of the issue before the Larger bench of this Court or he has to approach before the Civil Court.

3. The Writ Petition is disposed of with the above observations. There shall be no order as to costs.

15.02.2024

CS

To

1. The District Registrar,
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Nandanam, Chennai-600 035.
2. Assistant Divisional Engineer,
Tamil Nadu State Highways,
Then Tambaram Sub-Division,
Presently Velachery Sub-Division,
Velachery, Chennai-600 042.
3. The District Collector,
Chennai District,
Singaravelar Maaligai,
George Town,
Chennai-600 001.
4. The District Revenue Officer,
Chennai District,

Page No.4/6



WEB COPY

Office of the District Collector,
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5. The Tahsildar,
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Order dated 15.02.2024
in W.P.No.3491 of 2024



WEB COPY



Order dated 15.02.2024
in W.P.No.3491 of 2024

P.VELMURUGAN, J

CS

W.P.No.3491 of 2024

15.02.2024

Page No.6/6