



WEB COPY



W.P.No.5952 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.5952 of 2023

Tmt.Gomathi

... Petitioner

vs.

1.The Inspector General of Registration,
No.11, Santhome High Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.

2.The District Registrar,
(Administration),
North Chennai,
Kuralagam,
Chennai – 600 014.

3.The Sub Registrar,
Konnur Sub Registrar Office,
Dunlop Bus Stop,
Ambattur, Chennai – 600 053.

4.Baskara Thondaiman
5.P.Revathy

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 02.02.2023 and thereby direct the respondents 1 to 3 to cancel the document No.836/2021 dated 16.02.2021 stands in the name of 4th respondent and document No.2535/2022 dated 08.04.2022 stands in the name of 5th respondent on the file of the 3rd respondent on the light of circular dated 04.01.2023 issued by the 1st respondent.

For Petitioner : Mr.D.V.Rao

For Respondents : Mr.P.Harish
Government Advocate for R1 to R3
Mr.S.Sivakumar
for R4 and R5

ORDER

The petitioner herein seeks a direction to the respondent to consider the representation dated 02.02.2023, seeking cancellation of Document No.836 of 2021, dated 16.02.2021 registered on the file of the Sub Registrar, Konnur, by exercising power under Section 77-A of Registration Act.



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2. In view of the order passed by the Division Bench of this Court in *M.Kathirvel vs. The Inspector General of Registration* (W.P.No.10291 of 2022 etc., batch, dated 02.08.2024) striking down Section 77-A of the Registration Act, this Court is not inclined to issue direction to the respondents to consider the representation.

3. However, it is open to the petitioner to workout his remedy before the Civil Court. It is also made clear that the petitioner is entitled to exclude the time, during which the writ petition has been pending before this Court [i.e from 22.02.2023 till the date of receipt of a copy of this order], while calculating the limitation for filing the suit.

4. Accordingly, this writ petition stands dismissed. No costs.

23.09.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To

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S.SOUNTHAR, J.

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