



W.P.No.6588 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 6588 of 2024

M.Saradha

... Petitioner

versus

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai – 600 028.

2. The District Registrar (Admin),
Office of the District Registrar,
Thiruvallur, Thiruvallur District.

3. The Sub Registrar,
Avadi,
Chennai – 600 054.

4. D. Palani Chettiar
5. Radhakrishnan
6. Venkateswar Rao
7. Krishna Kumar Nahar

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent herein to consider the petitioner's representation dated 02.01.2023 consequently direct the third respondent herein to comply the order to be passed by the second

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respondent in petitioner's representation dated 02.01.2023 of the second respondent within the time granted by this Court.

For Petitioner : Mr.V.Prabhu
For Respondents : Mr.U.Baranidharan
Additional Government Pleader
for R1 to R3

ORDER

Mr.U.Baranidharan, learned Additional Government Pleader accepts notice for respondents 1 to 3. Since this writ petition is being disposed of without passing any adverse orders against respondents 4 to 7 affecting their interest, notice to those respondents is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the second respondent herein to consider the petitioner's representation dated 02.01.2023, in and by which, the petitioner sought to cancel the forged documents and consequently direct the third respondent herein to comply the order to be passed by the second respondent on the petitioner's representation dated 02.01.2023.

3. The grievance of the petitioner falls under Section 77-A of 'the Registration Act, 1908' [hereinafter referred to as 'the Act']. With regard to

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the amendment of Section 77-A of the Act, there are conflicting decisions of two separate Benches of this Court regarding the applicability of Section 77-A of the Act and the said decisions have been referred to a Larger Bench, which is seized of the matter. Therefore, this Court is not inclined to give any direction to the official respondents to conduct enquiry under Section 77-A of the Act. However, the petitioner has got an efficacious alternative remedy, he can either approach the Civil Court or await final orders to be passed by the Larger Bench on the issue.

4. With the above directions, the writ petition stands disposed of.
There shall be no order as to costs.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

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