



W.P. No.6238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.6238 of 2024

J.Ragu

... Petitioner

Vs.

1.The District Registrar,
District Registrar's Office,
Tambaram,
Chennai – 600 045.

2.The Sub-Registrar Office,
O/o The Sub-Registrar Office,
Guduvancherry,
Chennai.

3.Mrs. T. Sasikala

4.Mr. Chinnappan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider petitioner's representation dated 08.02.2024 seeking for cancellation of Sale Deed dated 05.10.2023 in Document No.17725/2023 on the file of the second respondent and consequently direct the first respondent to conduct an enquiry in accordance with the law.



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For Petitioner : No Appearance
For Respondents : Mr. U. Bharanidharan,
Additional Government Pleader. (for R1 & R2)

ORDER

The Writ Petition is filed seeking to issue a Writ of Mandamus directing the first respondent to consider petitioner's representation dated 08.02.2024 seeking for cancellation of Sale Deed dated 05.10.2023 in Document No.17725/2023 on the file of the second respondent and consequently direct the first respondent to conduct an enquiry in accordance with the law.

2. Today, when the matter is taken up for hearing, there is no representation for the petitioner.

3. Mr. U. Bharanidharan, learned Additional Government Pleader who takes notice for the respondents 1 and 2 submitted that enquiry under Section 77A of the Registration Act regarding cancellation of forged documents has been stayed by this Court. Subsequently, a Larger Bench



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has been constituted to settle the issue and now the matter is seized of by the Larger Bench. Further, the Inspector General of Registration has issued a circular directing the registering authorities not to conduct enquiry under Section 77A of the Registration Act till the outcome of the decisions of the Larger Bench.

4. Heard and perused the materials available on record.

5. Since no adverse order is being passed against the respondents 3 and 4, notice to the respondents 3 and 4 is dispensed with.

6. As stated by the learned Additional Government Pleader, since the enquiry under Section 77A of the Registration Act has been stayed by this Court and subsequently, a Larger Bench of this Court is seized of the matter, this Court is not inclined to give any directions. However, the petitioner can either wait till the outcome of the decisions of the Larger Bench or he can approach the Civil Court since there is no bar to seek remedy before Civil Court.



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7. With the above observations, this Writ Petition is disposed of at the admission stage itself. 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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Tambaram,
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- 2.The Sub-Registrar Office,
O/o The Sub-Registrar Office,
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P.VELMURUGAN. J.

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