



WEB COPY



W.P.No.13004 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

Coram

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13004 of 2023

1.R.Vijayakumar

2.V.Renukadevi

..... Petitioners

-Versus-

1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai 600 028.

2.The Deputy Inspector General of Registration – Chennai Zone,
Integrated Building,
O/o The Commercial Taxes and Registration Department,
Fanepet, Nandanam,

3.The District Registrar – Chennai Central,
No.182, BharaiSalai (Pycrafts Road),
Royapettah, Chennai 600 014.

..... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the 3rd respondent to pass orders on the Appeal filed by the petitioners dated 24.10.2022 within the stipulated time.

For Petitioner (s)

Mr.S.Jim Raj Milton

For Respondent (s)

*: Mr.Yogesh Kannadasan,
Spl. Government Pleader for
RR1 to 3*



W.P.No.13004 of 2023

ORDER

This writ petition has been filed seeking a writ in the nature of mandamus directing the 3rd respondent to pass orders on the Appeal filed by the petitioners dated 24.10.2022 within the time to be stipulated by this court.

2. Heard both sides.

3. It is the case of the petitioners that as against the order of the District Registrar cancelling the sale agreement dated 20.11.2021 registered as Doc.No.578 of 2021 on the file of the office of the Sub Registrar, Ashok Nagar as fraudulent transaction, he preferred an appeal dated 24.10.2024 before the 1st respondent. The grievance of the petitioners is that though the appeal was preferred as early as in month of October, 2022, the same has not been taken up for hearing till date.

4. According to the learned Special Government Pleader, challenging the constitutional validity of Section 77-A as well as Section 22-B of the Registration Act, a batch of writ petitions (W.P.No.26952 of 2022 and batch) has been filed wherein orders have been reserved by a Division Bench of this court.

5. In view of the above, the petitioners are at liberty to challenge the order of the 3rd respondent dated 20.11.2021 by way of separate writ petition, subject to the out come of the public interest litigation challenging the validity of



W.P.No.13004 of 2023

Section 77-A of the Registration Act, 1908, if they so desire.

WEB COPY This writ petition is disposed of accordingly with the above direction and observation. No costs.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

25..06..2024

To

- 1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai 600 028.
- 2.The Deputy Inspector General of Registration – Chennai Zone,
Integrated Building,
O/o The Commercial Taxes and Registration Department,
Fanepet, Nandanam,
- 3.The District Registrar – Chennai Central,
No.182, BharaiSalai (Pycrafts Road),
Royapettah, Chennai 600 014.



WEB COPY



W.P.No.13004 of 2023

N.SATHISH KUMAR.J.,

kmk

W.P.No.13004 of 2023

25..06..2024