



WEB COPY



W.P.No.18157 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.18157 of 2023
and WMP.Nos.17351 and 17354 of 2023

1.Muthusamy
2.M.Savithri

... Petitioners

vs.

1.The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar (Administration),
Coimbatore,
Coimbatore District.

3.The Sub Registrar,
Gandhipuram,
Coimbatore.

4.The Sub Registrar,
Ganapathy, Coimbatore.

5.The State Rep by its,
The Inspector of Police,
Land Grabbing Cell,
Office of Commissioner,
Coimbatore.

6.Saravanamoorthy

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 3 to 5 from implementing the order dated 12.04.2023 vide proceedings in Na.Ka.No.8481/E2/2022 on the file of the 2nd respondent, till the disposal of Appeal pending under Section 77B of the Registration Act in No.17551/03 of 2023, dated 08.05.2023 on the file of the 1st respondent

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.P.Harish
Government Advocate
for R1 to R5
Notice un served for R6

ORDER

The petitioner herein seeks issue of Writ of Mandamus forbearing the respondents 3 to 5 from implementing the order dated 12.04.2023 vide proceedings in Na.Ka.No.8481/E2/2022 on the file of the 2nd respondent cancelling the settlement deed and release deed in favour of the petitioner under Section 77 A of Registration Act, 1908. The order passed by the second respondent was challenged by the petitioner before Inspector General of Registration under Section 77B of Registration Act by filing the appeal. Apprehending implementation of order passed by 2nd respondent



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under Section 77A of Registration Act, the instant writ petition is filed. Now

by virtue of the order of 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), Section 77A of the Registration Act, is struck down.

Therefore, as a necessary consequence, the order passed by the second respondent cancelling documents would go. Hence, question of implementing the 2nd respondent's order dated 12.04.2023 would not arise.

2. In view of the same, the prayer in the writ petition has become infructuous. Accordingly, this writ petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

23.09.2024

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

3/5



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S.SOUNTHAR, J.



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