



W.P.No.21846 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.21846 of 2024 and
W.M.P.Nos.23835 to 23837 of 2024

1.L.Kalavathi
2.E.Santhi
3.S.Devaki

... Petitioners

Vs.

- 1.The District Registrar,
Office of the District Registrar,
G.N.Road, Thottathupalayam,
Tiruppur District.
- 2.The Inspector General of Registration,
Office of the Registrar,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai 600 028.
- 3.The Tahsildar,
Kallangadu,
Tiruppur South, Tiruppur.
- 4.The District Collector,
Palladam Road,
Karuppagoundanpalayam,
Tiruppur District.
- 5.The Sub-Registrar,



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Sub Registrar Office,
Thottipalayam,
MGR Nagar, Chettipalayam,
Tiruppur.

6.Balasubramaniam
7.Govindammal
8.Vimalachitra

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order dated 30.05.2023 passed by the first respondent in the proceedings in Na.Ka.No.6224/A5/2022 and quash the same and also direct the second respondent to dispose of the Appeal given by the petitioners in Appeal No.24420 of 2023 within a fixed time frame.

For Petitioners : Mr.D.Prasanna

For Respondents : Mr.B.Vijay, AGP for R1, R2 & R5
Mr.G.Ameedius, GA for R3 & R4

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order dated 30.05.2023 passed by the first respondent in the proceedings in Na.Ka.No.6224/A5/2022 and quash the same and also direct the second respondent to dispose of the Appeal given by the petitioners in Appeal



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No.24420 of 2023 within a fixed time frame.

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2. Heard both sides. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. This Writ Petition is primarily filed seeking direction to dispose of the appeal filed challenging the order of the District Registrar cancelling the registered document by invoking Section 77-A of the Registration Act. It appears that the appeal filed is pending before the Inspector General of Registration.

4. This Court is of the view that the very validity of Section 77-A is challenged before this Court and pending for orders before the Division Bench and further, the Division Bench has also directed no proceedings shall not be proceeded under Section 77-A of the Act. Therefore, mere direction to the authorities to dispose of the appeal will not give any solution.



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5. In such view of the matter, this Writ Petition is disposed of with liberty to the petitioners to file a fresh Writ Petition challenging the order passed by the District Registrar on 30.05.2023. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

31.07.2024



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To

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N.SATHISH KUMAR, J.

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