



WP.No.21428 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.21428 of 2024

V.Arokiadass

.. Petitioner

Versus

1. The Inspector General of Registration
100, Santhome High Road, Mullima Nagar
Mandavelipakkam, Raja Annamalaipuram
Chennai – 600 028

2.The District Registrar
District Registrar Office
Chennai North
Kuralagam, 1st Floor
Chennai – 600 108

3.The Sub Registrar
No.2, Sothupakkam Road
Palavayal, Red Hills
Perungavoor, Chennai – 600 052

4.Arokkiyadoss.V
5.S.Saravanan
6.Dinesh Kothari
7.Prashanth Kothari
8.Vinoth Kothari

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioner dated 01.03.2024 and thereby to conduct an enquiry under section 77A of the Registration Act as amended by Tamilnadu



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Act 41 of 2022 and to cancel the fraudulent transfers made by the impersonator in favour of the respondents 5 to 8 and to safeguard the property of the petitioner situated at Theeyampakkam Village, Ariyalur Group, Thiruvottiyur Taluk, Thiruvallur District of a extent of 36 cents comprised in S.No.155/10A as per patta No.2552.

For Petitioner : Mr.G.Ilamurugu

For Respondents : Mr.M.Shahjahan for R1 to R3
Special Government Pleader

ORDER

This writ petition is filed directing the 2nd respondent to consider the representation of the petitioner dated 01.03.2024 and thereby to conduct an enquiry under section 77A of the Registration Act as amended by Tamilnadu Act 41 of 2022 and to cancel the fraudulent transfers made by the impersonator in favour of the respondents 5 to 8 and to safeguard the property of the petitioner situated at Theeyampakkam Village, Ariyalur Group, Thiruvottiyur Taluk, Thiruvallur District of a extent of 36 cents comprised in S.No.155/10A as per patta No.2552.

2. By consent of both parties, this writ petition is taken up for final disposal. Since no adverse order is passed against the private respondents, notice to them is dispensed with.



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3. Heard both sides and perused the materials placed on record.

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4. It is the case of the writ petitioner that the petitioner has been impersonated and power of attorney has been executed and subsequently sale deed is also executed. Hence, according to him, entire act is nothing but forgery and seeks direction to cancel those documents under Section 77-A of the Registration Act.

5. The learned Special Government Pleader submitted that the Division Bench of this Court in the case of *M.Kathirvel vs. The Inspector General of Registration and others* made in *W.P.Nos.10291 of 2022 etc batch cases* dated 02.08.2024 has held that Section 77-A is unconstitutional.

6. Such view of the matter, this writ petition cannot be entertained. Accordingly, the writ petition stands dismissed. No costs.

02.08.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To,

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