



W.P.No.25918 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2024

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.25918 of 2024

M/s.Vaisakhi Bio-Marine Pvt Ltd.,
Rep., by its General Manager,
Mr.S.Ramesh,
Kaipeni Kuppam, Marakkanam,
Tindivanam,(TK), Viluppuram District.

...Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Patinapakkam, Chennai 6000028.
2.The District Registrar Thindivanam,
63/a, Perumal Kovil St.,
near ICICI Bank, Pattanam,
Murungapakkam,
Tindivanam-604 001.

3.R.Gomathi

4.Mugilan

5.Kathiravan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



W.P.No.25918 of 2024

praying for issuance of Writ of Certiorari, directing to call for the records of the impugned of the impugned order in Na.Ka.No.3040/a1/2019 dated 31.08.2021 passed by the 2nd respondent and quash the same as Null and Void

For Petitioner : Mr.M.Venkadesh Kumar

For Respondents : Mr.C.Meera Arumugam

Additional Government Pleader
for R1 & R2

Not ready in notice for R3 to R5

ORDER

The writ petition is filed challenging the cancellation of the sale deeds dated 12.06.2007 and 02.08.2018 registered document Nos.2600 of 2007, 1658 of 2018 on the file of the 2nd respondent/Sub Registrar, Marakkanam. On complaint made by the 4th respondent the two sale deeds have been unilaterally cancelled by the 2nd respondent/Sub Registrar. Therefore, the petitioner have approached this Court to have his grievance redressed.

2.Heard learned counsel on either side.

3.In the light of the judgment of the Division Bench in ***M.Kathirvel Vs. Inspector General of Registration*** Reported in (2024) 4 CTC 769 wherein



W.P.No.25918 of 2024

WEB COPY

this Court has held Section 77A of the Registration Act to be unconstitutional and unworkable, the impugned order has to necessarily be set aside as the cancellation is under Section 77A of the Registration Act.

4. Accordingly, the writ petition stands allowed. no cost.

11.11.2024

vsn

Index: Yes/No

Speaking: Yes/No

Neutral case citation: Yes/No

To

1. The Inspector General of Registration,

No.100, Santhome High Road,

Patinapakkam, Chennai 6000028.

2. The District Registrar Thindivanam,

63/a, Perumal Kovil St.,

near ICICI Bank, Pattanam,

Murungapakkam,

Tindivanam-604 001.



WEB COPY



W.P.No.25918 of 2024

P.T. ASHA, J.

vsn

W.P.No.25918 of 2024

11.11.2024