



W.P.No.27054 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.27054 of 2024

and

W.M.P.No.29569 of 2024

B.Appakutty

... Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome Highway,
Pattinampakkam,
Chennai – 28.

2. The District Registrar,
The District Registrar Office,
4th Floor, C-Block,
Tirupathur.

3. The Sub-Registrar,
The Office of Sub-Registrar,
Thirupattur.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent in connection with the impugned order vide No.1888/AA3/2022 dated 18.04.2023 and to quash the same as illegal and unconstitutional and to consequently direct the 3rd respondent to remove the



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entry made by the 3rd respondent in the description of Encumbrance Certificate relating to the proceedings of the 2nd Respondent in No.1888/AA3/2022 dated 18.04.2023 in cancelling Sale Deeds Doc.No's.8095/2016, 3396/2017 and 3397/2017 registered on the file of Thirupattur SRO.

For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.P.Harish

Government Advocate

ORDER

This Writ Petition has been filed for a Certiorarified Mandamus to call for the records of the 2nd respondent in connection with the impugned order vide No.1888/AA3/2022 dated 18.04.2023 and to quash the same as illegal and unconstitutional and to consequently direct the 3rd respondent to remove the entry made by the 3rd respondent in the description of Encumbrance Certificate relating to the proceedings of the 2nd Respondent in No.1888/AA3/2022 dated 18.04.2023 in cancelling Sale Deeds Doc.No's.8095/2016, 3396/2017 and 3397/2017 registered on the file of Thirupattur SRO.



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WEB COPY 2. The cancellation has been made on the strength of the provisions of Section 77-A of the Registration Act.

3. Since the matter is covered by the orders of the Division Bench of this Court in *M.Kathirvel and others vs. Inspector General of Registration – 2024 (4) CTC, 769*, this Court is not going into the facts of the case.

4. In the light of the Judgement passed by the Division Bench of this Court in *M.Kathirvel and Others vs. Inspector General of Registration – 2024 (4) CTC 769*, the Impugned Order is set aside. Accordingly, the Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
rgm



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P.T.ASHA, J.

rgm

To

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