



W.P.No.64 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.64 of 2024

Annapooranam

... Petitioner

Vs.

1. The District Registrar,
JCK Nagar, Paranur,
Chengalpattu District- 603 002.

2 Mani

3 S.Srinivasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the appeal made by the petitioner dated 11.01.2023 to cancel the sale deed executed vide doc No. 584/ 2023 dated 10.01.2023.

For Petitioner : Mr.R.Dhinesh Kumar

For R1 : Mr.R.Neethi Perumal
Government Advocate

For R2 : Mr.R.Thirumoorthy

For R3 : Mr.M.Kalaiyaran



W.P.No.64 of 2024

ORDER

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This Writ Petition has been filed to issue a Writ of Mandamus, to direct the first respondent to consider the appeal made by the petitioner dated 11.01.2023 to cancel the sale deed executed vide Doc No. 584/2023 dated 10.01.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the official respondent and the learned counsel for the private respondents and perused the materials available on record.

3. Learned Government Advocate appearing for the first respondent submitted that subsequent to the order of this Court, there is an amendment in the Registration Act and Sections 77-A and 77-B have been inserted. Subsequently, there is a divergent view regarding the maintainability/applicability whether the section was to be applied retrospectively or prospectively. Now, a Larger Bench has been constituted to answer for divergent view of the learned Single Judges of this Court. Hence, the Inspector General of Registration, Chennai, has



W.P.No.64 of 2024

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issued a Circular No.03 of 2023 in Letter No.36330/U1/2023 dated 29.09.2023, wherein it is stated that pursuant to the directions of this Court, all the District Registrars in Tamil Nadu have been directed not to take any further action on the application under Section 77-A of the Registration Act till a final decision is rendered by the Larger Bench of this Court. Hence, the respondent is unable to proceed with the enquiry.

4. Since the subject matter has been seized of by the Larger Bench of this Court, this Court cannot pass any order on merits. The petitioner has got an alternative remedy and either he can approach the Civil Court or he shall wait for the outcome of the decision of the Larger Bench of this Court, if he is so advised.

5. With the abovesaid direction, the Writ Petition is disposed of.
There shall be no order as to costs.

15.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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W.P.No.64 of 2024

To

The District Registrar,
JCK Nagar, Paranur,
Chengalpattu District- 603 002.



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W.P.No.64 of 2024

P.VELMURUGAN, J.

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W.P.No.64 of 2024

15.02.2024