



WEB COPY

W.P.No.31455 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.31455 of 2023
and
W.M.P.No.31071 of 2023

1.Mrs.Kameshwari
2.Mr.Neelambar Reddy
3.Mrs.Kalyani

.. Petitioners

vs

1.The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai – 04.

2.The District Registrar,
South Chennai Joint – I,
Saidapet, Chennai – 15.

3.The Sub Registrar,
Alandur SRO,
St.Thomas Mount,
Chennai – 16.

4.Sri Vembuli Amman Temple Trust
Door No.1, Lawyer Jaganathan Street,
Alandur, Chennai – 16.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents herein, to consider the representation of the petitioner dated 20.09.2023 in so far as in the said representation, the petitioner had sought for to cancel the illegal Registration of the trust, granted in the name of Sri Vembuli Amman Temple Trust / 4th



W.P.No.31455 of 2023

respondent herein, registered as Doc.No.716/2005 dated 07.07.2005, on the file of SRO, Alandur Chennai and to initiate necessary action against such culprits, who have forged and manipulated the records, for the purpose of formation of the above said illegal trust.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.Vadivelu Deenadayalan
Additional Government Pleader
for R1 to R3
Mr.D.Parthasarathy for R4

ORDER

The prayer of the petitioner is for a direction to the official respondents, being the Inspector General of Registration / R1, District Registrar, South Chennai Joint-I / R2 and the Sub-Registrar, Alandur /R3 to cancel the registration of Vembuli Amman Temple Trust, arrayed as R4.

2. Mr.Vadivelu Deenadayalan, learned Additional Government Pleader, appears on behalf of the official respondents and has written instructions to state that the representation of the petitioner dated 20.09.2023 for cancellation of the registration of the trust cannot be considered, as at present for the following reason:-

"The Inspector General of Registration in his order No.36330/U1/2023 dated 29.09.2023 has directed the District Registrars not to conduct any enquiry under Section 77-A of The Registration Act which empowers the District Registrars to cancel



WEB COPY



W.P.No.31455 of 2023

certain classes of documents in pursuant to the Judgments of this Hon'ble Court passed in W.P.(MD) No. 14546 of 2022 and batch cases dated 27.03.2023 and W.P.No.18814/2023 dated 27.06.2023.

Enquiry under Section 77-A of the Registration Act, 1908 could be made only after the decision of the larger Bench."

3. All learned counsel before me will accede to the position that in light of the aforesaid circumstances, nothing useful would be served in keeping this writ petition pending.

4. Hence, this writ petition is closed in view of the prevailing position. No costs. Connected miscellaneous petition is closed. The petitioner is at liberty to revive the writ petition if thought necessary after decision of the larger Bench.

01.02.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

1.The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai – 04.

2.The District Registrar,
South Chennai Joint – I,
Saidapet, Chennai – 15.

3.The Sub Registrar,
Alandur SRO,
St.Thomas Mount,



Chennai – 16.

WEB COPY



W.P.No.31455 of 2023

DR. ANITA SUMANTH,J.

ssm

W.P.No.31455 of 2023

01.02.2024