



W.P.No.31401 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

CORAM

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

W.P.No.31401 of 2024

and

W.M.P.Nos.34083 and 34084 of 2024

Ramasamy

... Petitioner

Vs.

1. The Inspector General Registration,
Office of the Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.
2. The District Registrar cum
Assistant Inspector General of Registration,
Iraniyan Street, Anna Sathya Nagar,
Rangampalayam,
Erode – 638 009.
3. The Sub Registrar,
Ammapettai Sub Registrar Office,
No.1/44C, Periyasamy Middle School Street,
Ammepet,
Erode District – 638 311.
4. Thavasi

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records and quash the impugned order dated 19.07.2023 passed by the 2nd respondent herein in Na.Ka.No.5298/A2/2022 and further direct the 3rd respondent herein to remove the entries which was entered by the 3rd respondent in the registration register with respect of document Nos.2339 of 2022 and 1577 of 2014 on the file of Office of the 3rd respondent herein.

For Petitioner : Mr.S.Lakshmanasamy
For Respondents :
For R1 to R3 : Mr.B.Vijay
Additional Government Pleader

ORDER

This Writ Petition has been filed for a Certiorarified Mandamus to call for the records and quash the impugned order dated 19.07.2023 passed by the 2nd respondent herein in Na.Ka.No.5298/A2/2022 and further direct the 3rd respondent herein to remove the entries which was entered by the 3rd respondent in the registration register with respect of document Nos.2339 of 2022 and 1577 of 2014 on the file of Office of the 3rd respondent herein.

2. The case of the Petitioner is that the property comprised in Natham



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Survey No.658/7, Ammapettai Village, Old Mariamman Koil Street, measuring an extent of 65 sq.mt. in Patta No.322 originally belonged to one Sunthani @ Vaiyapuri. After his death, the said property was under the possession and enjoyment of one Paramasivam and Meivelu. After the death of Meivelu, the legal heirs of the said Meivelu had executed a Release Deed dated 11.09.2012 in favour of Paramasivam under a registered Document No.2339 of 2012, on the file of the SRO, Ammapettai. The Petitioner herein has purchased the above said property from Paramasivam and his legal heirs vide Sale Deed dated 13.06.2024 under a registered Document No.1577 of 2014 on the file of the SRO, Ammapettai. The Petitioner has also transferred the patta and the electricity connection in his name.

3. At this juncture, the 4th Respondent has submitted an application before the 2nd Respondent under Section 77-A of the Registration Act (Tamil Nadu Act 41 of 2022). Based on the application made by the 4th Respondent, the 2nd Respondent / The District Registrar has passed an Impugned Order dated 19.07.2023 canceling the registered Document No. 2339 of 2012 dated 11.09.2012 and Document No.1577 of 2014 dated 13.06.2024. Aggrieved by the same the Petitioner is before this Court.

4. The cancellation has been made on the strength of the provisions of



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Section 77-A of the Registration Act.

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5. 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.

6. 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 Petitions are closed.

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

To



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P.T.ASHA, J.



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