



WP(MD). No.2112 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 20/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.2112 of 2023
and WMP(MD) Nos.1880 and 1882 of 2023**

Sathish Kumar. G

... Petitioner

Vs

1. The Assistant Inspector General of Registration,
O/o. Assistant Inspector General of Registration, Y.
Otthakadai, Madurai, Madurai District..

2. The District Registrar (Admin)
O/o. District Registrar (South),
Madurai, Madurai District..

3. The Sub Registrar,
Thiruparankundram Sub Registrar Office,
Thiruparankundram, Madurai District..

4. Sreemathi Seetharaman

5. Premalatha

... Respondents

PRAYER :- Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 2nd respondent vide his proceedings in Pa.Mu.No. 4225/Aa2/2022 dated



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29.11.2022 and quash the same as illegal and consequently directing the 2nd respondent to cancel the sale deed dated 08.03.2022 vide Doc.No. 956 of 2022 in so far as the S.No. 236/1B2, Nilaiyur Village, Thiruparankundram Sub Division, Madurai South Taluk, Madurai within the time that may be stipulated by this Court.

For Petitioner : M/s.Mohammed Zamil
for M/s.Ajmal Associates,
For Respondent : Mr.P.Subbaraj for R1 to R3
Special Government Pleader

ORDER

The writ petition has been filed challenging the impugned order of the 2nd respondent dated 29.11.2022 and consequently directing the 2nd respondent to cancel the sale deed dated 08.03.2022 vide Doc.No. 956 of 2022 in so far as the S.No. 236/1B2, Nilaiyur Village, Thiruparankundram Sub Division, Madurai South Taluk, Madurai within the time that may be stipulated by this Court.

2. It is the case of the petitioner that the sale deed executed on 19.07.2010 is for 50 cents alone. However, in the patta, it has been shown as 0.50.00 ares. In order to rectify the same and in order to cancel the sale deed, which was made pursuant to the patta entry, the petitioner



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submitted an application, which was rejected relegating the parties to the civil Court, challenging which, the petitioner is before this Court.

3. I have considered the rival submissions and perused the materials available on record.

4. It is seen that the very Section 77(A) inserted under Registration Act is struck down by the Division Bench of this Court in W.P.No.10291 of 2022 batch. That apart fraudulent transaction cannot be gone into by the authorities, which has to be established in the manner known to law before the civil Court as per *Satya Pal Anand v. State of M.P.* [2016 10 SCC 767] and *G. Rajasulochana v Inspector General made in W.P 29706 of 2024 dated 16.04.2024*. Accordingly, the writ petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

20.09.2024

RR



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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.2112 of 2023**

Date : 20/09/2024