



W.P(MD)No.4247 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4247 of 2024

K.Parameswaran Nair
Liquidator of Sree Bhadra Parks and Resorts Ltd.,
37/1736 E, Kripasagaram,
K Murali Road, Kadavanthra,
Ernakulam-682020.
E.Mail:cakpnair@gmail.com

... Petitioner

Vs.

- 1.The District Registrar,
Kanyakumari District,
Tamil Nadu.
- 2.The Sub Registrar,
Kottaram Sub Registrar Office,
Kanyakumari District,
Tamil Nadu.
- 3.E Vedha Selvaraj
- 4.M.Alexander
- 5.Phoenix ARC Private Limited,
58, 5th Floor, Dani Corporate Park,
CST Road, MMRDA Area,
Kalina, Santacruz East,
Mumbai, Maharashtra 400098.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents to cancel the Sale Deed dated 25.10.2010 registered as Doc. No. 4261 of 2010 on the file of the 2nd Respondent in favour of the 4th Respondent, in exercise of the powers under the Registration Act for creating such fraudulent document and Consequentially direct the Respondent Nos. 1 and 2 to record such cancellation of the registration of the Sale Deed No. 4261 of 2010 on the file of the Respondent No. 2.

For Petitioner : Mr.V.Veera Pandian
for M/s.Vastlaw Associates

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader for R1 & R2

ORDER

Heard both sides.

2. The petitioner wants the petition mentioned document to be cancelled. If the Larger Bench holds that Section 77A is retrospective, the petitioner can definitely pursue the complaint. The second respondent is directed to keep the petitioner's complaint pending. Based on the decision of the Larger Bench, the second respondent will take a call.



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3. The Writ Petition is disposed of accordingly. No costs.

23.02.2024

Index : Yes / No

Internet : Yes/ No

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To

1.The District Registrar,
Kanyakumari District,
Tamil Nadu.

2.The Sub Registrar,
Kottaram Sub Registrar Office,
Kanyakumari District,
Tamil Nadu.

G.R.SWAMINATHAN, J.



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