



W.P(MD)No.4084 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4084 of 2024

N.Saranya

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Watrap,
Virudhunagar District.

3.The Branch Manager,
Represented by RBL Bank Ltd.,
No.98, Vakkil New Street,
Simmakkal,
Madurai.

4.Natarajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to cancel the registered mortgage deed in 1871/2019



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dated 30.12.2019 executed by the fourth respondent in favour of the third respondent by considering the representation dated 28.10.2023 with in a time framed by this Court.

For Petitioner : Mr.B.Vinoth Kumar

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R.1 & R.2

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the official respondents.

2.The petitioner feels aggrieved by the Registration of the petition mentioned mortgage deed. The petitioner wants the first respondent to cancel the same. The petitioner wants action to be taken under Section 77-A of the Registration Act, 1908 in respect of the petition mentioned mortgage deed.



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3. The Inspector General of Registration had issued circular dated 29.09.2023 directing the District Registrars not to hold any enquiry or pass any order under Section 77-A of the Registration Act, 1908 till the issue is resolved by the Hon'ble Larger Bench. The petitioner has to necessarily await the same. The first respondent will take a call in the matter based on the decision of the Larger Bench. The petitioner is at liberty to move the jurisdictional civil Court for relief in the meanwhile also.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

22.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1. The District Registrar,
Virudhunagar District,
Virudhunagar.

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MGA

2.The Sub Registrar,
Watrap,
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