



WP(MD). No.3486 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 03/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.3486 of 2023

Panjavarnam

... Petitioner

Vs

1. The District Registrar (Admin),
Karaikudi Registration District,
Karaikudi, Sivagangai Revenue District..

2. The Sub Registrar,
Singampunari - 630 502, Karaikudi
Registration District, Sivagangai
Revenue District..

3. Ramasamy. C,
S/o. Rm. Chinnaiah Ambalam, 18,
Suikkampatti Village, Melur Taluk,
Madurai District, Residing at
Selvavinayakar Koil Street,
Singampunari - 630 502,.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to pass appropriate order expeditiously in Na.Ka. No.



WP(MD). No.3486 of 2023

4263/A4/2022 dated on 16.11.2022.

For Petitioner : M/s.P.Aju Tagore,
For Respondents : Mr.S.Thirupathy for R3
Mr.P.Subbaraj for R1 & R2
Special Government Pleader

ORDER

The petitioner seeks a direction to the 1st respondent to pass appropriate order expeditiously in Na.Ka. No.4263/A4/2022 dated on 16.11.2022, which was initiated under Section 77A of the Registration Act, 1908 to cancel the document registered in the year 1997.

2. It is the case of the petitioner that the subject property is the ancestral property of the petitioner, wherein, the 3rd respondent, by creating false document, transferred some portion of the property in his name and on the premise that the documents have been executed fraudulently, the petitioner has approached the 1st respondent by way of representation. Since the same has not been considered, the petitioner is before this Court.



WP(MD). No.3486 of 2023

3. 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.

03.09.2024

RR

TO

1. The District Registrar (Admin),
Karaikudi Registration District,
Karaikudi, Sivagangai Revenue District..

2. The Sub Registrar,
Singampunari - 630 502, Karaikudi
Registration District, Sivagangai
Revenue District..



WEB COPY



WP(MD). No.3486 of 2023

N.SATHISH KUMAR,J

**ORDER
IN
WP(MD) No.3486 of 2023**

Date : 03/09/2024