



W.P(MD)No.8250 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8250 of 2024

and

W.M.P.(MD)No.7447 of 2024

Muniyammal

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of Inspector General of Registration,
80, Santhom High Ways Road, Chennai.

2.The District Registrar (Registration),
Theni District, Theni.

3.The Sub Registrar,
Kadamalaikundu Sub Registrar Office,
Theni District.

4.P.Pandiyan

5.Lakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to cancel the illegal registration as null and void i.e., the forged deed vide document No.2736/2022 on the file of the 3rd respondent, as per



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Tamil Nadu Government Gazette in L.A.Bill No.27 of 2021 dated 02.09.2021 in connection with petitioner's property situated in Survey No.1183/2B and Patta No.2019 at Thoppaiyapuram Revenue Village, Andipatti Taluk, Theni District in the light of the petitioner's representation dated on 14.03.2024 within stipulated time fixed by this Court.

For Petitioner : Mr.G.Kudalingam

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 to R3.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3.

2.The petitioner wants the petition mentioned document to be cancelled. The petitioner seeks invocation of power under Section 77-A of the Registration Act, 1908 by the jurisdictional District Registrar. I had taken the view that the said provision cannot operate retrospectively. Since a contra opinion has been rendered by another learned Judge, the matter is presently pending consideration before the Hon'ble Division Bench.



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3.The second respondent is directed to keep the petitioner's complaint pending. He shall decide the issue based on the decision of the Hon'ble Division Bench.

4.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

02.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Inspector General of Registration,
Office of Inspector General of Registration,
80, Santhom High Ways Road, Chennai.
- 2.The District Registrar (Registration),
Theni District, Theni.
- 3.The Sub Registrar,
Kadamalaikundu Sub Registrar Office,
Theni District.



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G.R.SWAMINATHAN, J.

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