



W.P.(MD)No.8144 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.8144 of 2023

S.Kannan

... Petitioner

Vs

1. The Secretary,
Commercial Taxes and Registration
Department, Tamil Nadu Government,
Chennai 600 009.

2. The Deputy Inspector General of Registration,
Deputy Inspector General of Registration Office,
Tirunelveli, Tirunelveli District.

3. The District Registrar,
Office of District Registrar, Tenkasi,
Tenkasi District.

4. The Sub-Registrar,
Surandai Sub-Registrar Office, Surandai,
Tenkasi District.

5. Esakki

6. Ramesh

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second respondent to direct the third respondent to enquire and order to restore the cancelled power deed No. 172/1999 registered in the fourth respondent office and order to cancel cancellation Deed No. 196/1999 registered in the fourth respondent office on the basis of the representation dated 01.03.2023.

For Petitioner	: Mr. Char Murugan.B
For Respondents	: Mr.P.Subburaj (R1-R4) Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to direct the third respondent to enquire and order to restore the cancelled power deed No. 172/1999 registered in the fourth respondent office and order to cancel cancellation Deed No. 196/1999 registered in the fourth respondent office on the basis of the representation dated 01.03.2023.

2. 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.



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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

NCC : Yes/No
Index : Yes/No
PNM

To

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N.SATHISH KUMAR, J.

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