



W.P(MD)No.9378 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9378 of 2024

T.Bagavathiappan

... Petitioner

Vs.

- 1.The District Registrar,
Registration Department,
Nagercoil,
Kanniyakumari District.
- 2.The Sub Registrar,
Registration Department,
Kottaram,
Kanniyakumari District.
- 3.The Tahsildar,
Agasteeswaram Taluk,
Kanniyakumari District.
- 4.The Executive Officer,
Anjugramam Town Panchayat,
Kanniyakumari District.

5.E.Neelaperumal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.1 to cancel the registrations of the document in SR. No.2946/2023 dated



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15.06.2023 on the file of the respondent No.2 within a time stipulated by this

Court.

For Petitioner : Mr.S.Louis

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1 to R4.
Mr.E.V.N.Siva for R5.

ORDER

Heard the learned counsel on either side.

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.

3.The first 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.



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4.The writ petition is disposed of accordingly. No costs.

02.07.2024

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

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Registration Department,
Nagercoil,
Kanniyakumari District.
- 2.The Sub Registrar,
Registration Department,
Kottaram,
Kanniyakumari District.
- 3.The Tahsildar,
Agasteeswaram Taluk,
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G.R.SWAMINATHAN, J.

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