



W.P(MD)No.9151 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.9151 of 2024

V.Velmurugan

... Petitioner

Vs.

1.The Inspector General of Registration,
Registration Department,
100, Santhome High Road,
Mullimanagar, Manthaivelipakkam,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Registrar,
O/o.The District Registrar,
Tenkasi District.

3.The Sub-Registrar,
Sub-Registrar Office,
Alangulam, Tenkasi District.

4.K.Krishna Moorthi

5.K.Durai

6.K.Subbaiah

7.K.Senthil Kumar

8.K.Murugesan

9.Prakash



W.P(MD)No.9151 of 2024

10.S.Bathirakaali

11.K.Fathima

12.D.Manikandan

13.V.Sakthi

... 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.2 to cancel the Gift Deed executed by the Respondent Nos.4 to 8 in favour of respondents No.9 to 13 vide Doc.Nos.3915 of 2009 dated 29.07.2009, 3983/2009 dated 31.07.2009, 4096/2009, 4081/2009 and 4080/2009 dated 06.08.2009 for the lands in S.No.1142, Sivalarkulam, Alangulam Taluk, Tenkasi District based on the representation dated 14.02.2024.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 to R3.
Mr.A.Sankara Ramasubramanian
For R4 to R7 & R10 to R13.

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate for the official respondents and the learned counsel for the private respondents.



W.P(MD)No.9151 of 2024

2.The petitioner wants the petition mentioned documents 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 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.

02.07.2024

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

1.The Inspector General of Registration,
Registration Department,
100, Santhome High Road,
Mullimanagar, Manthaivelipakkam,
Raja Annamalaipuram,
Chennai-600 028.



W.P(MD)No.9151 of 2024

G.R.SWAMINATHAN, J.

ias

- 2.The District Registrar,
O/o.The District Registrar,
Tenkasi District.
- 3.The Sub-Registrar,
Sub-Registrar Office,
Alangulam, Tenkasi District.

W.P(MD)No.9151 of 2024

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