



W.P(MD)No.18166 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18166 of 2024

Jothi

... Petitioner

Vs.

1.The District Registrar,
Madurai North,
Madurai.

2.The Sub-Registrar,
Podhumbu,
Madurai.

3.The Commissioner,
Madurai Corporation,
Madurai City.

4.M.Jeeva

5.Yugesh Kanna
Representing His Minor Daughter,
Hamshika Meenakshi.

6.Ramar

7.N.Suresh

... 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 conduct enquiry based on petitioner's representation dated 08-04-2024 and



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consequently to cancel the power deed in D.No.2127 of 2022 and the Fraudulent documents executed by the 4th respondent in respect of the petitioner's property in Survey No.49/9 of Anaiyur Village, Bit-II, Madurai North by invoking Section 77-A of the Indian Registration Act within the time fixed by this Court.

For Petitioner : Mr.V.S.Kishok Kumar

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1 & R2.
Mr.K.K.Kannan,
Standing Counsel for R3.

ORDER

Heard the learned counsel for the writ petitioner, the learned Special Government Pleader for the official respondents and the learned standing counsel for the third respondent.

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 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.

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

01.08.2024

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

1.The District Registrar,
Madurai North,
Madurai.

2.The Sub-Registrar,
Podhumbu,
Madurai.



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G.R.SWAMINATHAN, J.

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