



W.P(MD)No.10767 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.10767 of 2024

S.Subburaj

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandaveilpakkam,
Raja Annamalai Puram,
Chennai - 600 028.

2.The District Registrar (Administration),
District Registrar Office,
Dindigul District.

3.The Sub Registrar,
Sub Registrar Office,
Natham, Dindigul District.

4.V.Subu Ambalam

5.R.Prakash

6.R.Panju

... 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 respondent to cancel the Fraudulent settlement deed by Subu Ambalam for his Grand Son Prakash registered as document No.841/1996 in Survey No.514/7, Rediyapatty



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Village Natham Sub Registrar Office, Natham, Dindugal District in which out of 0.26.50 Ares to the extend 0.10.00 Ares has sold to Panchu present Survey had been and 514/7E1 as in Prakash which is Disputed and 514/7E2 in the name of Panchu and stop further gift settlement within family and sales to other persons in Survey No.514/7E1 Natham Sub-Registrar Dindigul District considering the petitioner's representation dated 22.02.2024.

For Petitioner : Mr.A.Abdul Muthalip

For Respondents : Mr.B.Saravanan,
Addl. Government Pleader for R1 to R3.

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader 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.

02.07.2024

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

- 1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandaveilpakkam,
Raja Annamalai Puram,
Chennai - 600 028.
- 2.The District Registrar (Administration),
District Registrar Office,
Dindigul District.
- 3.The Sub Registrar,
Sub Registrar Office,
Natham, Dindigul District.



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G.R.SWAMINATHAN, J.

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