



W.P(MD)No.11077 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.11077 of 2024

Petchiammal

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Collectorate Campus,
Kokkirakulam,
Tirunelveli District.

2.The Sub - Registrar,
Sub - Registrar Office,
Kayathar,
Thoothukudi District.

3.A.Ramaraj

4 A.Anbazzhagan

5.A.Sundarapandi

6.A.Sudha

... 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 initiate enquiry under 77-A of the Tamil Nadu Registration Act, to cancel



W.P(MD)No.11077 of 2024

Partition Deeds registered in Documents No.3317/2023, 3318/2023, 3319/2023 dated 03.10.2023 executed between the 4th to 6th respondents before the 2nd respondent based on the representation of the petitioner dated 18.03.2024.

For Petitioner : Mr.M.Prabhu

For Respondents : Mr.B.Saravanan,
Addl. Government Pleader for R1 & R2.

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

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.



W.P(MD)No.11077 of 2024

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.

02.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

1.The District Registrar,
District Registrar Office,
Collectorate Campus,
Kokkirakulam,
Tirunelveli District.

2.The Sub - Registrar,
Sub - Registrar Office,
Kayathar,
Thoothukudi District.



WEB COPY



W.P(MD)No.11077 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.11077 of 2024

02.07.2024