



W.P(MD)No.10943 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.10943 of 2024

K.Saravanan

... Petitioner

Vs.

1.The District Registrar,  
Periakulam Registration District,  
Theni.

2.The Sub Registrar,  
Office of the Sub Registrar,  
Theni.

3.P.Kamatchi

4.V.Thangaraj

5.K.Murugadoss

6.Vijayalakshmi

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to enquire D.No.9739/2023 dated 04.10.2023, registered before the 2nd respondent office and consequently endorse report of the same in the registry of the said office based on petitioner's representation dated 07.02.2024.



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For Petitioner : Mr.T.Selvan

For Respondents : Mrs.D.Farjana Ghoushia,  
Spl. Government Pleader for R1 & R2.  
Mr.P.Senthil for R4 to R6.

### **ORDER**

Heard the learned counsel for the writ petitioner, the learned Special Government Pleader for the official respondents and the learned counsel for the private respondents.

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:-**

- 1.The District Registrar,  
Periakulam Registration District,  
Theni.
- 2.The Sub Registrar,  
Office of the Sub Registrar,  
Theni.



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**G.R.SWAMINATHAN, J.**

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