



W.P(MD)No.10946 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.10946 of 2024

and

W.M.P.(MD)No.9772 of 2024

Kasthuri

... Petitioner

Vs.

- 1.The Principal Secretary,
Commercial Taxes and Registration Department,
The State of Tamil Nadu,
Fort St. George, Chennai.
- 2.The Inspector General of Registration,
Office of the Inspector General of Registration,
Nungampakam, Chennai.
- 3.The Deputy Inspector General of Registration,
Office of Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakameeram,
Y.Othakadi, Madurai District.
- 4.The District Registrar,
Office of the District Registrar,
Madurai North,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakameeram,
Y.Othakadi, Madurai District.
- 5.The Sub Registrar,
Office of the Sub Registrar,



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Madurai South, No.1, Edison Street,
Bastian Nagar, Madurai District.

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6.Meenakshi

7.Kasi Vishwanathan

8.Venkateshwaran

... 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 respondents No.2 to 5 to initiate appropriate action against the respondents No. 6, 7 and 8 for fraudulently registering the sale deed in Document No.2517/2011 and Settlement Deed Document No.1808/2018 on the file of the respondent No.5 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.B.Saravanan,
Addl. Government Pleader for R1 to R5.
Mr.S.Pandiya Raj for R6.
Mr.S.Muthukumar for R7.

ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 5, the learned counsel for the sixth respondent and the learned counsel for the seventh respondent.



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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 fourth 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. Consequently, connected miscellaneous petition is closed.

02.07.2024

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

To:-

1.The Principal Secretary,
Commercial Taxes and Registration Department,
The State of Tamil Nadu,
Fort St. George, Chennai.



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G.R.SWAMINATHAN, J.

ias

- 2.The Inspector General of Registration,
Office of the Inspector General of Registration,
Nungampakam, Chennai.
- 3.The Deputy Inspector General of Registration,
Office of Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakameeram,
Y.Othakadi, Madurai District.
- 4.The District Registrar,
Office of the District Registrar,
Madurai North,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakameeram,
Y.Othakadi, Madurai District.
- 5.The Sub Registrar,
Office of the Sub Registrar,
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