



W.P(MD)No.11091 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.11091 of 2024

and

W.M.P.(MD)No.9884 of 2024

J.P.Nareshbabu

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Palayamkottai,
Tirunelveli District.

2.The Sub Registrar,
Office of the Sub Registrar,
Radhapuram, Tirunelveli District.

3.C.Murugan

4.Ilayaraja

5.Stalin

... 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 and 2nd respondents to take necessary action on the petitioner's petition dated 25.04.2024 and to cancel the Forged Power of Attorney in document No.1739/2013 dated 09.05.2013 and the subsequent sale deeds vide Document No.647/2014 dated 06.03.2014 and Document No.3106 of 2014 dated



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09.12.2014 and the power of attorney document No.1589 of 2024 dated 22.04.2024 registered on the file of the 2nd respondent as per section 77A of the Registration Act, 1908 within a time period that may be stipulated by this Court.

For Petitioner : Mr.R.Ponkarthkeyan

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1 & R2.

ORDER

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

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 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. Consequently, connected miscellaneous petition is closed.

02.07.2024

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

- 1.The District Registrar,
Registration Department,
Palayamkottai,
Tirunelveli District.
- 2.The Sub Registrar,
Office of the Sub Registrar,
Radhapuram, Tirunelveli District.



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G.R.SWAMINATHAN, J.

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