



W.P.(MD)No.10979 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.10979 of 2023

Hyder Ali

... Petitioner

/Vs./

1. The Deputy Inspector General
of Registration, Combined Registration
Complex, Rajakambeeram, Othakadai,
Madurai District.
2. The District Registrar, (Administration),
Periyakulam, Theni District.
3. The Sub Registrar,
Cumbum, Theni District.
4. A. Jeyakumar,
5. P. John Peter,
6. P. Smith Stanley
7. P. David,
8. N. Sajitha,

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to dispose Appeal Petition No. 7253 of 2022 within a stipulated time as fixed by this Court.



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For Petitioner : Mr.P.Arun Jayatram

For Respondents : Mr.K.Appadurai for R8

:Mr.D.Sadiq Raja

Additional Government Pleader for R1-3

: Mr.K.R.Laxman for R4-7

ORDER

This Writ Petition has been filed for a direction, directing the first respondent to dispose Appeal Petition No. 7253 of 2022, filed by the petitioner.

2. Heard the learned counsel on either side and perused the materials available on record.

3. Originally, the petitioner submitted a complaint before the second respondent, to cancel the document, under Section 68 of the Registration Act. However, it was not considered and dismissed. Aggrieved by the same, the petitioner filed an appeal before the first respondent and the same is pending in Appeal Petition No.7253 of 2022.



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4. In view of the provisions under Sections 77-A, 77-B and 68(2) of the Registration Act were declared as unconstitutional, in view of the judgment of the Honourable Division Bench of this Court in ***M.Kathirvel vs. The Inspector General of Registration***, reported in **2024 (4) CTC 769**.

5. In view of the above, the first respondent cannot cancel the document under the Registration Act. Therefore, the appeal submitted by the petitioner cannot be considered in accordance with law. Hence, this Writ Petition is dismissed. The petitioner is at liberty to approach the civil Court for appropriate relief in the manner known to law. No costs.

06.12.2024

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
LS

TO:-

1. The Deputy Inspector General
of Registration, Combined Registration
Complex, Rajakambeeram, Othakadai,
Madurai District.



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LS

2. The District Registrar, (Administration)
Periyakulam, Theni District.
3. The Sub Registrar,
Cumbum, Theni District.

Order made in
W.P.(MD)No.10979 of 2023

Dated:
06.12.2024