



W.P(MD)No.12099 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.12099 of 2024

and

W.M.P.(MD)No.10754 of 2024

A.Nagammal

... Petitioner

Vs.

1.The Deputy Inspector General,
Deputy Inspector General Office,
Combined Registration Department Office,
Rajakambiram, Thirumogur Road,
Madurai District.

2.The District Registrar,
District Registration Office,
Palani, Dindigul District.

3.The Sub Registrar,
Joint-I Sub Registration Office,
Palani, Dindigul District.

4.Pappathi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent pertaining to the impugned order made in Na.Ka.No.9148/Aa4/021 dated 17.07.2023 and quash the same as illegal and consequently direct the 1st and 2nd respondents to cancel the above alleged



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mortgage deed as document No.1789 of 1997 dated 01.12.1997 and sale deed as Document No.1987 of 2004 dated 03.11.2004 on the file of the 3rd respondent herein within time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1 to R3.

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 second 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 Deputy Inspector General,
Deputy Inspector General Office,
Combined Registration Department Office,
Rajakambiram, Thirumogur Road,
Madurai District.
- 2.The District Registrar,
District Registration Office,
Palani, Dindigul District.
- 3.The Sub Registrar,
Joint-I Sub Registration Office,
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G.R.SWAMINATHAN, J.

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