



W.P(MD)No.12065 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.12065 of 2024

Arunachala Nadar

... Petitioner

Vs.

1.The District Registrar,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer Cum
Additional District Magistrate,
Thoothukudi District, Thoothukudi.

3.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

4.Uthayakumar

5.Thangamariyappan

6.Shanthi

... 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 respondent to consider the petitioner's petition in Na.Ka.No.8896/2022/A5 dated 29.11.2021 by cancelling the sale deed No.1718/2018 registered on the file of the Sub



W.P(MD)No.12065 of 2024

Registrar, Ettaiyapuram executed in favour of the 4th respondent and to make necessary entries in the encumbrance certificate.

For Petitioner : Mr.V.Angusamy

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 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.



W.P(MD)No.12065 of 2024

WEB COPY

4. The writ petition is disposed of accordingly. No costs.

02.07.2024

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

To:-

1. The District Registrar,
Thoothukudi District,
Thoothukudi.
2. The District Revenue Officer Cum
Additional District Magistrate,
Thoothukudi District, Thoothukudi.
3. The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.



WEB COPY



W.P(MD)No.12065 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.12065 of 2024

02.07.2024