



W.P(MD)No.12486 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.12486 of 2024

and

W.M.P.(MD)No.11125 of 2024

Chinnathai

... Petitioner

Vs.

1.State Rep. by,

**The Inspector General of Registration,
No.100 Santhome High Road,
R.A.Puram, Chennai 600 028.**

2.The Deputy Inspector General of Registration,

**Integrated Complex of Registration Department,
Rajakampeeram, Y.Othakadai, Madurai - 625107.**

3.State Rep. by,

**The District Registrar,
O/o.The District Registrar,
Periyakulam, Theni District.**

4.State Rep. by,

**The Sub Registrar,
No.2, Joint Sub Registrar Office,
Periyakulam, Theni District.**

5.M.Ponnuthai

6.P.Balamurugan

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent to conduct the detail enquiry based on the petitioner's representation dated 03.04.2024 and to cancel the documents 1. Settlement deed Doc.No.77/2011 dated 12.01.2011 and 2. Sale Deed Nos.2151/2023 and 2153/2023 dated 22.06.2023 registered at the 4th respondent Sub Registrar Office by the respondents 5 and 6 with regard to the petitioner's property to an extent of northern 1.08.0 Ares i.e., 1 Acre and 78 cents out of 2 Acres and 67 cents in S.No.344/2 (the present Sub Division S.No.344/2A) and to an extent of northern 64 cents out 96 cents in S.No.343/2 (totally to an extent of 2 Acres and 42 cents) situated at Thenkarai Village, Periyakulam Taluk, Theni District.

For Petitioner : Mr.V.Muthumani

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1 to R4.

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



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opinion has been rendered by another learned Judge, the matter is presently pending consideration before the Hon'ble Division Bench.

3.The third 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 Inspector General of Registration,
No.100 Santhome High Road,
R.A.Puram, Chennai 600 028.
- 2.The Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
Rajakampeeram, Y.Othakadai, Madurai - 625107.
- 3.The District Registrar,
O/o.The District Registrar,
Periyakulam, Theni District.
- 4.The Sub Registrar,
No.2, Joint Sub Registrar Office,
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G.R.SWAMINATHAN, J.

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