



W.P(MD)No.12355 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.12355 of 2024

R.Krishna Moorthi

... Petitioner

Vs.

1.The Director General of Registration,
100, Santhome Road, Chennai.

2.The District Registrar,
Registration Department,
Trichy District.

3.The Sub - Registrar,
Sub - Registrar Office,
Musiri, Trichy District.

4.Ramasamy

5.R.Rajasekaran

... Respondents

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 cancel the document in Doc.No.1408/2020 executed by the fourth respondent registered in 5th respondent on the basis of the petitioner's



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representation dated 11.04.2024 within the time stipulated as may be fixed by this Court.

For Petitioner : Ms.C.R.Ponnuthai

For Respondents : Mr.B.Saravanan,
Addl. Government Pleader for R1 to R3.
Mr.S.Ramesh for R5.

ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 3 and the learned counsel for the fifth respondent.

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.



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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.

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

02.07.2024

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

- 1.The Director General of Registration,
100, Santhome Road, Chennai.
- 2.The District Registrar,
Registration Department,
Trichy District.
- 3.The Sub - Registrar,
Sub - Registrar Office,
Musiri, Trichy District.



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G.R.SWAMINATHAN, J.

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