



W.P(MD)No.12329 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.12329 of 2024

Kaspar

... Petitioner

Vs.

- 1.The Secretary,
Commercial Taxes and Registration Department,
Tamil Nadu Government, Chennai - 600 009.
- 2.The Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai - 600 028.
- 3.The Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakampeeram, Y.Othakadai,
Madurai - 625 107.
- 4.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District - 630 561.
- 5.The Sub-Registrar,
Sub-Registrar Office,
Kalaiyar Koil,
Sivagangai District - 630 551.
- 6.Leema Rose
- 7.Iruthayamary



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8.Arulmary

9.Fathima Jeyarani

10.Joseph Xavier

11.Thanislal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to direct the fourth respondent to do an enquiry and order to cancel the documents No.1994/2013, 3960/2018, 3961/2018, 3867/2018, 320/2019, 2075/2019, 2777/2022 registered in the fifth respondent office on the basis of the representation dated 22.04.2024.

For Petitioner : Mr.B.Charmurugan,
For M/s.Char Murugan Law Associates.

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 to R5

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 5.

2.The petitioner wants the petition mentioned documents to be cancelled.

The petitioner seeks invocation of power under Section 77-A of the



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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 fourth 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:-

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4.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District - 630 561.

5.The Sub-Registrar,
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