



W.P(MD)No.12343 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.12343 of 2024

Gurusamy

... Petitioner

Vs.

1.The Inspector General of Registration,
Registration Department,
100 Santhom High Road,
Raja Annamalaipuram,
Chennai - 600 028.

2.The District Registrar,
Sivagangai District,
Sivagangai.

3.The Sub Registrar,
Sub Registrar Office,
Thiruppuanam,
Sivagangai District.

4.Muruganantham

5.Boopathy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to cancel the Sale deed executed by the 5th respondent in favour of 4th respondent vide document No.183/2024 dated 28.12.2023 on the file of the



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3rd respondent wrongly mentioning the property of the petitioner in S.No.233/2 situated at Melarankiyam Group, Tiruppuvanam Taluk, Sivagangai District based on the petitioner's representation dated 14.02.2024.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mrs.D.Farajan 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.

02.07.2024

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

1. The Inspector General of Registration,
Registration Department,
100 Santhom High Road,
Raja Annamalaipuram,
Chennai - 600 028.
2. The District Registrar,
Sivagangai District,
Sivagangai.
3. The Sub Registrar,
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G.R.SWAMINATHAN, J.

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