



W.P(MD)No.13592 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13592 of 2024

Ramasamy

... Petitioner

Vs.

1.The Inspector of General (Registration Department),
Office of the Inspector of General,
No.100, Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
Theni District, Theni.

3.The Sub Registrar,
Office of the Sub Registrar,
Theni Sub Registrar Office,
Theni District.

4.S.Mariyammal

5.P.Darling Prabhu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to cancel the fraudulent registered document in D. No.648/1996 on the file of the 3rd respondent office based on the petitioner's application dated 30.10.2023.



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For Petitioner : Mr.S.M.Mohan Gandhi

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

ORDER

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

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 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:-

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Office of the Inspector of General,
No.100, Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
Theni District, Theni.

3.The Sub Registrar,
Office of the Sub Registrar,
Theni Sub Registrar Office,
Theni District.



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G.R.SWAMINATHAN, J.

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