



W.P(MD)No.14475 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.14475 of 2023

A.Rajendran

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Rajagambeeram, Y.Othakadai,
Madurai-625 107.

2.The District Registrar,
O/o District Registrar,
Combined Registrar Office,
9XR7X493, Chennamanaickanpatti,
District Collector Office Compound,
Dindigul-624 004.

3.Ramasamy Maniyam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeal filed by the petitioner dated 23.02.2023 within a stipulated time.

For Petitioner : Mr.N.Madhava Govindhan

For R1 & R2 : Mr.P.Subbaraj,
Special Government Pleader

For R3 : Mr.S.Mahendrapathy



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ORDER

This Writ Petition is filed, seeking for a direction to the 1st respondent to dispose of the appeal filed by the petitioner dated 23.02.2023 within a stipulated time to be fixed by this Court.

2.It is the case of the petitioner that the land in S.No.453/3 situated at Nilakottai Village, Nilakottai Taluk, Dindigul District is the ancestral property of the petitioner. Since the 3rd respondent created a forged document in respect of the land in question, the petitioner made a representation dated 25.11.2022, seeking cancellation of the same. However, the 2nd respondent, vide order dated 30.11.2022, directed the petitioner to produce Forensic Department report. Aggrieved by the same, the petitioner has filed an appeal dated 23.02.2023 before the 1st respondent to direct the 2nd respondent to cancel the forged document under Section 77A of the Registration Act. Since the same has not been considered so far, the petitioner has filed this Writ Petition.

3.It is seen that the very Section 77(A) inserted under Registration Act is struck down by the Division Bench of this Court in W.P.No.10291 of 2022 batch. That apart fraudulent transaction cannot be gone into by the authorities, which has to be established in the manner known to law before the



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civil Court as per *Satya Pal Anand v. State of M.P.[2016 10 SCC 767]* and G.

Rajasulochana v Inspector General made in W.P 29706 of 2024 dated 16.04.2024. Therefore, no purpose will be served to direct the 1st respondent to dispose of the appeal filed by the petitioner. Accordingly, this Writ Petition is dismissed. No costs.

05.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

- 1.The Deputy Inspector General of Registration,
Rajagambeeram, Y.Othakadai,
Madurai-625 107.
- 2.The District Registrar,
O/o District Registrar,
Combined Registrar Office,
9XR7X493, Chennamanaickanpatti,
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N.SATHISH KUMAR, J

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