



W.P.(MD)No.17085 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.17085 of 2023

Marimuthu

... Petitioner

Vs.

The District Registrar (Administration),
Office of the District Registration Office,
Department of Registration,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent either conduct further enquiry or to decide issue with relating to registration of Sale Deed dated 05.12.2005 vide in Document No.5830/2005 registered before the Sub Registrar of Sattur, Virudhunagar District based on the petitioner's reply dated 10.05.2023.

For Petitioner : Mr.V.Muthuvelan

For Respondent : Mr.P.Subbaraj,
Spl. Government Pleader.



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ORDER

The petitioner seeks a direction to the respondent to consider the petitioner's reply dated 10.05.2023 and to conduct an enquiry under Section 77-A of Tamil Nadu Registration Act.

2.Heard the learned counsel appearing on either side and perused the materials placed on record.

3.It is the case of the petitioner that the petitioner is cultivating the property in S.No.462/1C at Melamadaai Revenue Village, Sattur Taluk, Virudhunagar. One Chinna Kalimuthu had attempted to vacate the petitioner from the subject property as if the petitioner is not having any title. Hence, the petitioner made a representation dated 27.03.2023 to conduct enquiry and to cancel the forged documents. Since the same has not been considered so far, the petitioner has filed this Writ Petition.

4.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 civil Court



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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. Accordingly, this Writ Petition is dismissed. No costs.

10.09.2024

NCC :Yes/no
Index :Yes/no
Internet :Yes/no
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To:

The District Registrar (Administration),
Office of the District Registration Office,
Department of Registration,
Virudhunagar District.



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N.SATHISH KUMAR, J.

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