



W.P(MD)No.18122 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18122 of 2024

S.Somasundaram

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Court Campus,
Cantonment, Trichy-1.

2.M.Rajeshwari

3.M.Senthilkumar

... 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 complete the enquiry in Na.Ka.No.19196/A4/2021 on the file of the 1st respondent Office, Trichy District, as per the time stipulated by this Court.

For Petitioner : Mr.K.Mahendran

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the first respondent.



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2.The petitioner seeks cancellation of the petition mentioned documents said to have been executed by the respondents 2 and 3. Even though the petition was given way back on 23.12.2021, in view of introduction of Section 77A of the Registration Act, subsequently, the petitioner's case will have to be considered only in terms of the statutory provision. The Hon'ble Division Bench is seized of the matter. The Hon'ble Division Bench is yet to render its decision regarding the scope and applicability of Section 77A of the Act. A further question also arises. The question is whether an applicant can seek relief of declaration that a document is fraudulent on the basis of the circulars that were issued prior to introduction of Section 77A of the Act. Clarity will be shed only after the judgment comes. Till then, the first respondent will keep the petition pending. Once the Hon'ble Division Bench pronounces its verdict, the first respondent will take a call in the matter and give a disposal to the petitioner's complaint within a period of eight weeks thereafter.

3.The writ petition is disposed of accordingly. No costs.

01.08.2024

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

The District Registrar,
District Registrar Office,
Court Campus,
Cantonment, Trichy-1.



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G.R.SWAMINATHAN, J.

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