



WP(MD). No.18434 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 18/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.18434 of 2023

Indira Gandhi.N

... Petitioner

Vs

1. The District Registrar (Admin),
Tirunelveli District..

2. The Sub-Registrar,
The Gangaikondan Sub-Registrar Office,
Gangaikondan,
Tirunelveli District..

3. The Inspector General of Reg,
Istration, the Office of the Inspector
General of Registration,
Chennai - 600 028..

4. The Thasildhar,
Taluk Office,
Tirunelveli District..

... 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 an enquiry on complaint of the petitioner dated



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28.04.2023 pending on the file of 1st respondent within a stipulated period as fixed by this Court.

For Petitioner : Ms.J.Priscilla Pandian,
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

The writ petition has been filed for a mandamus to direct the 1st respondent to complete the enquiry on the complaint of the petitioner dated 28.04.2023 pending on the file of 1st respondent within a stipulated period as fixed by this Court.

2. The petitioner's case is that the properties of the petitioner were registered in the name of third persons under threat and in order to cancel them, the petitioner sent a complaint to the 1st respondent to invoke Section 77(A) of the Registration Act and for conducting enquiry on 28.04.2023. Since the same was not considered, the petitioner is before this Court.

3. I have considered the rival submissions and perused the materials available on record.



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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 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, the writ petition is dismissed. No costs.

18.09.2024

RR

TO

1. The District Registrar (Admin),
Tirunelveli District..

2. The Sub-Registrar,
The Gangaikondan Sub-Registrar Office,
Gangaikondan,
Tirunelveli District..

3. The Inspector General of Registration
the Office of the Inspector General of Registration,
Chennai - 600 028..

4. The Thasildhar,
Taluk Office,
Tirunelveli District..

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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.18434 of 2023**

Date : 18/09/2024