



W.P.(MD)No.25705 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25705 of 2024

Annammal @ Annapuraman

... Petitioner

/Vs./

1.The District Registrar (Admin),
Registration Department,
Dindigul District, Dindigul.

2.The Sub Registrar,
Ottanchatram Sub Registration Office,
Ottanchatram,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to cancel the Document Nos. 1511/1988, 1512/1988, 1226/2005, 1227/2005, 1463/2006, 1464/2006, 1465/2006, 1466/2006, 1467/2006, 2129/2008, 2152/2008 and 831/2022 on the file of 2nd respondent in the light of petitioner's representation dated 29.07.2024 within time stipulated by this Court.



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For Petitioner : Mr.A.Vadivel
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed seeking for cancellation of certain registered documents under Section 77A of the Registration Act, 1908.

2. Heard Mr.A.Vadivel, learned counsel appearing for the petitioner, and Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The Division Bench of this Court has held that Section 77A of the Registration Act, 1908, is unconstitutional. In view of the same, the relief sought for in this writ petition cannot be granted under Article 226 of the Constitution of India. The only remedy available to the petitioner



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with regard to the relief sought for in this writ petition is to approach the competent civil Court.

5. For the foregoing reasons, in view of the fact that this writ petition is not maintainable for the relief sought for in this writ petition, this writ petition is disposed of by granting liberty to the petitioner to approach the competent civil Court seeking for cancellation of the documents disclosed in this writ petition. No costs.

28.10.2024

Index : Yes / No
NCC : Yes / No
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TO:-

- 1.The District Registrar (Admin),
Registration Department,
Dindigul District, Dindigul.
- 2.The Sub Registrar,
Ottanchatram Sub Registration Office,
Ottanchatram,
Dindigul District.



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ABDUL QUDDHOSE, J.

Sm

Order made in
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