



W.P.(MD)No.27524 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.27524 of 2024

Jeyalakshmi

... Petitioner

/Vs./

- 1.The District Registrar,
District Registration Office,
Palani, Dindigul District.
- 2.The Sub Registrar,
Joint II Sub Registration Office,
Palani, Dindigul District.
- 3.The Sub Registrar,
Sub Registration Office,
Keeranoor, Palani Taluk,
Dindigul District.

4.N.Palanisamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to pass final order based on the petitioner's representation dated 18.07.2024 within the time limit that may be stipulated by this Court.



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W.P.(MD)No.27524 of 2024

For Petitioner : Mr.A.D.Ganeshamoorthi
For Respondents : Mr.S.P.Maharajan (R1 to R3)
Special Government Pleader

ORDER

This writ petition has been filed for a direction to the first respondent to pass final orders on the petitioner's representation dated 18.07.2024.

2. Considering the nature of the order going to be passed in this writ petition, notice to the fourth respondent is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel on either side and perused the materials placed before this Court.

4. A perusal of the representation dated 18.07.2024 submitted by the petitioner reveals that the petitioner sought for cancellation of the



W.P.(MD)No.27524 of 2024

will dated 21.06.1988, which was executed by her farther vide registered document No.45 of 1988 and the settlement deed dated 22.04.2024 registered vide document No.1488 of 2024 in respect of the property comprised in S.Nos.190, 191, 153, 160 & 161 measuring to an extent of 7 acres and 47 ½ cents and the property comprised in S.No.143, 2007/1, measuring to an extent of 1 acre 80 cents situated at Thoompalapatti Village, Palani Taluk, Dindigul District.

5. The provisions of Section 77A and 77B of the Registration Act, 1908 have been struck down by this Court and as such, the first respondent has no jurisdiction to cancel any document, which was registered by the registering authority. Therefore, the representation dated 18.07.2024 submitted by the petitioner cannot be considered and this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. No costs.

19.11.2024

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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TO:-

- 1.The District Registrar,
District Registration Office,
Palani, Dindigul District.
- 2.The Sub Registrar,
Joint II Sub Registration Office,
Palani, Dindigul District.
- 3.The Sub Registrar,
Sub Registration Office,
Keeranoor, Palani Taluk,
Dindigul District.

Order made in
W.P.(MD)No.27524 of 2024

Dated:
19.11.2024