



W.P(MD)No.274 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM :

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P(MD)No.274 of 2023

and

W.M.P.(MD)No.238 of 2023

R.Periyasamy

... Petitioner

Vs.

- 1.The Inspector General of Registration,  
100, Santhome High Road,  
Raja Annamalai Puram,  
Chennai - 600 028.
- 2.The District Registrar  
District Registrar Office (Administration),  
Pattukottai.
- 3.The Sub-Registrar,  
Madukkur Registrar Office,  
Madukkur.
- 4.The Thasildar,  
Thasildar Office,  
Pattukottai.
- 5.Sornalakshmi

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 2nd respondent from holding any enquiry in pursuant to the enquiry summon dated 29.11.2022



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issued by him on the basis of the complaint of the 5th respondent dated 04.11.2022 and consequently, direct the 2nd respondent to direct the 5th respondent to prefer statutory appeal before the Deputy Inspector General, Thanjavur as against the order passed by the Then District Registrar of the 2nd respondent Office through his proceeding in Na.Ka. No.1303/A1/2020 dated 08.03.2021.

For Petitioner : Mr.M.Karuppasamy  
For R1 to R4 : Mr.C.Satheesh  
Government Advocate  
For R5 : Mr.V.Thirumal

### **ORDER**

The petitioner has filed this writ petition to forbear the 2nd respondent from holding any enquiry in pursuant to the enquiry summon, dated 29.11.2022 issued by him on the basis of the complaint of the 5th respondent, dated 04.11.2022 under Section 77-A under the Registration Act.

2.At the outset, the prayer sought for by the petitioner in this writ petition is not maintainable, since the very Section 77(A) inserted under Registration Act to cancel the registered document, 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 in view of the



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decisions made in *Satya Pal Anand v. State of M.P.* [2016 10 SCC 767] and G.

**Rajasulochana vs. Inspector General** [W.P 29706 of 2024 dated 16.04.2024].

Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**27.08.2024**

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

- 1.The Inspector General of Registration,  
100, Santhome High Road,  
Raja Annamalai Puram,  
Chennai - 600 028.
- 2.The District Registrar  
District Registrar Office (Administration),  
Pattukottai.
- 3.The Sub-Registrar,  
Madukkur Registrar Office,  
Madukkur.
- 4.The Thasildar,  
Thasildar Office,  
Pattukottai.



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**N.SATHISH KUMAR, J**

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