



Writ Petition No.5941 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.5941 of 2025

Usha Narasimmalu Govinda
W/o.Narasimmalu Govinda

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Santhome High Road, Chennai.
- 2.The District Registrar,
Admin, Chenglepet - 603 002.
- 3.M/s.Emerald Haven Reality Limited,
Authorised Signatory Mr.Senthilkumar.P,
1st Floor, Greenway Towers,
No.119, St.Mary's St.Road,
Abhirampuram, Chennai - 600 018.
- 4.V.Kanniy Ammal
W/o.K.Velayutham
- 5.K.Velayutham
S/o.A.Kumarasamy
- 6.S.Chitra
W/o.Selvakumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of
India seeking issuance of a Writ of Certiorarified Mandamus calling for



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the records in respect of the impugned order in Na.Ka.No.6991/A-3/2022, dated 10.10.2023 passed by the second respondent herein and quash the same and consequentially, direct the respondents to conduct a fresh enquiry in the manner known to law.

For Petitioner : Mr.G.Mohana Krishnan

For Respondents : Mr.P.Harish
Government Advocate [R1 & R2]

ORDER

This writ petition has been filed challenging the proceedings of the second respondent dated 10.10.2023.

2. Heard Mr.G.Mohana Krishnan, learned counsel appearing for petitioner and Mr.P.Harish, learned Government Advocate appearing for respondents 1 and 2.

3. Even though various grounds were raised by the learned counsel for the petitioner questioning the proceedings of the second respondent dated 10.10.2023, it is not necessary for this Court to go into all those issues. The very proceedings of the second respondent dated 10.10.2023 issued under Section 77-A of the Registration Act is non-est in the eye of law since this provision has been struck down by the



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Division Bench of this Court in the decision in ***M.Kathirvel and others***

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v. Inspector General of Registration [2024 (4) CTC 769]. Therefore, any observations that have been made in the order will have no bearing and therefore, the petitioner can have no grievance over the order passed by the second respondent, which is considered to be non-existent in the eye of law. This clarity will sufficiently take care of the grievance expressed by the petitioner. If at all, there is any grievance touching upon the civil rights of the parties, the parties can always approach the competent Court and work out their remedy.

This writ petition is disposed of in the above terms. No costs.

25.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1.The Inspector General of Registration,
Santhome High Road, Chennai.

2.The District Registrar,
Admin, Chenglepet - 603 002.



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N.ANAND VENKATESH, J

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