



W.P.No.22159 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.22159 of 2025

1. Ganga
2. K.C.R.Rabindranath Thagore
3. M.C.R.Devendranath Thagore

... Petitioners

Vs.

1. The Inspector General of Registration
of Tamil Nadu / Appellate Authority,
Santhome High Road,
Chennai - 600 028.
2. The District Registrar (Administration),
Registration Department,
Tindivanam,
Villupuram District.
3. The Sub Registrar,
Avarapakkam Sub Registrar's Office,
Tindivanam Taluk,
Villupuram District.



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4. The Sub Registrar Joint-2,
Office of the Sub Registrar Joint-2,
Tindivanam,
Villupuram District.

5. B.Neelambal

6. B.Purushothaman

7. B.Elumalai

8. B.Natarajan

9. Gayathri

10. S.Gayathri

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the first respondent herein to dispose the appeal dated 21.05.2024 submitted by the petitioners to set aside order of the second respondent herein in Proceedings Na.Ka.No.1948/Aa3/2023, dated 25.04.2024 insofar as it went against the petitioners herein particularly in respect of registered sale deed dated 01.07.2002 in Document No.726 of 2002 and registered sale deed dated 06.08.2003 in Document No.713 of 2003 on the file of SRO Avarappakkam, Tindivanam Taluk.



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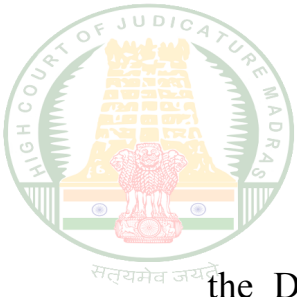
For Petitioners : Mr.Kandhan Duraisami
For Respondents : Mr.Abishek Murthy
Govt. Advocate for R1 to R4

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing first respondent to dispose of appeal dated 21.05.2024 wherein the order of second respondent was challenged.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed, notice to respondents 5 to 10 is dispensed with.

3. It is submitted by learned counsel for petitioners as well as learned Government Advocate for respondents 1 to 4 that the order dated 25.04.2024 has been passed invoking Section 77-A of the Tamil Nadu Registration Act. The said provision has been held to be unconstitutional by



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the Division Bench of this Court in the case of ***M.Kathirvel Vs. The Inspector General of Registration, Department of Registration, 100 Santhome High Road, Chennai - 28 & others in W.P.No.10291 of 2022 etc., batch.***

4. Learned counsel for petitioners thus submitted that the appeal may be disposed of within a time frame to be fixed by this Court. In any view, learned Government Advocate for official respondents would submit that the concerned respondent would dispose of the appeal within the time frame to be fixed by this Court after affording opportunity to petitioners and any other interested parties.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the concerned respondent to deal with the appeal made by the petitioners on 21.05.2024 on its own merits and in accordance with law within a period of four weeks from the date of uploading of the web copy



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without waiting for the receipt of certified copy, after putting petitioners, respondents 5 to 10 and other interested parties including rival claimants if any, on notice. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the appeal on its own merits and in accordance with law.

6. Accordingly, this Writ Petition is disposed of with the above direction. However, there shall be no order as to costs.

24.06.2025
(2/2)

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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To

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MOHAMMED SHAFFIQ, J.

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