



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 13190 of 2025

Bebeejohn,
W/o.Eliyasdeen,
No.37/F,Kottaimedu,
Kallakurichi District-606 202.

Petitioner(s)

Vs

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.

2.The Deputy Inspector General of Registration,
Department Of Registration,
No.50, Sankara Naidu Street,
Thirupapuliyur, Cuddalore -607 602.

3.The District Registrar (Administration),
Office Of The District Registrar,
Kallakurichi-606 202.

4.The Joint Sub Registrar-II,
Integrated Registrar Office Campus,
Katcheri Road, Kallakurichi District-606 202.



5.Thungabhadra,
W/o.Ramasamy,
No.125/29, Salem Main Road,
Kallakurichi-606 202.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order issued by the 3rd respondent in Na.Ka.No.5436/A4/2022 dated 16.6.2023 and quash the same as non-est in the eye of law and to direct the 4th respondent to restore the sale deed, Document No.5416 of 2022 dated 07.11.2022.

For Petitioner : Mr.I.M.Siddartha Ramarajan
Mr.Satheeshkumar Manimaran
For Respondent(s): Mr.U.Baranidharan
Special Government Pleader
for R1 to R4
Mr.N.Manoharan for R5

ORDER

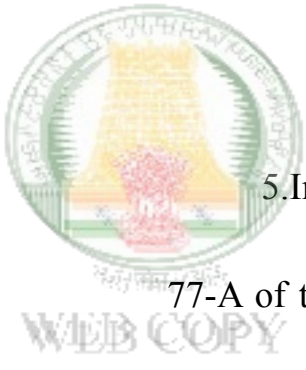
This writ petition has been filed by the petitioner seeking to call for the records pertaining to impugned order issued by the 3rd respondent in Na.Ka.No.5436/A4/2022 dated 16.6.2023 and quash the same as non-est in the eye of law and to direct the 4th respondent to restore the sale deed, Document No.5416 of 2022 dated 07.11.2022.



2.Learned counsel for the petitioner would submit that by invoking the provision under Section 77-A of the Registration Act, the impugned cancellation order dated 16.06.2023 was passed. However, this Court in the case of ***M.Kathirvel vs. The Inspector General of Registration Department and others*** reported in **2024 (4) CTC 769**, has struck down the Section 77-A and 68(2) of the Registration Act. Therefore, any orders passed under Section 77-A has becomes null and void and the same is liable to be set aside.

3.Learned Special Government Pleader appearing for the respondents 1 to 4 and the learned counsel appearing for the 5th respondent acceded the submissions made by the learned counsel for the petitioner. However, learned counsel appearing for the 5th respondent seeks leave of this Court to agitate the issue before the appropriate Civil Court.

4.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 to 4 and learned counsel for the 5th respondent.



5. In such view of the matter, in the present case, since the provision of 77-A of the Registration Act struck down by this Court as unconstitutional in the case of *M.Kathirvel vs. The Inspector General of Registration Department and others* reported in **2024 (4) CTC 769**, any order passed by invoking Section 77-A of the Registration Act has to be set aside. Accordingly, the impugned order dated 16.06.2023 passed by the 3rd respondent is set aside. While setting aside the impugned order dated 16.06.2023, the parties are granted liberty to agitate their issue before the appropriate Civil Court, if so desired.

6. With the above observation, this writ petition is disposed of. No costs.

30-10-2025

(1/2)

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

WEB COPY

1.The Inspector General of Registration,
No.100, Santhome High Road, Chennai-600 028.

2.The Deputy Inspector General of Registration,
Department of Registration,
No.50, Sankara Naidu Street,
Thirupapuliyur, Cuddalore -607 602.

3.The District Registrar (Administration),
Office Of The District Registrar,
Kallakurichi-606 202.

4.The Joint Sub Registrar-II,
Integrated Registrar Office Campus,
Katcheri Road, Kallakurichi District-606 202.



WP No. 13190 of 2025



KRISHNAN RAMASAMY J.
rst

WP No. 13190 of 2025

30-10-2025
($\frac{1}{2}$)