



W.P.(MD)No.1871 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2025**

CORAM:

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

W.P.(MD)No.1871 of 2025

Elangovan

... Petitioner

/Vs./

1. The Inspector General of Registration,
Registration Department,
Chennai.

2. The District Registrar,
Office of the District Registrar,
Dindigul District.

3. Sethupathi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Writ of Mandamus, to direct the 1st and 2nd Respondent to consider and dispose the petitioner's representation dated 05.11.2024, by following the principles of Natural Justice.

For Petitioner : Ms.P.Sepana @ Sree

For Respondents : Mr.S.P.Maharajan,

Special Govt. Pleader (R1 & R2)



W.P.(MD)No.1871 of 2025

WEB COPY

ORDER

This writ petition has been filed seeking for a direction to the respondents 1 and 2 to consider the representation submitted by the petitioner seeking to cancel the proceedings dated 15.05.2023 and to restore the sale deeds executed in favour of the petitioner as valid.

2. Considering the nature of the order going to be passed in this writ petition, notice to the third respondent is dispensed with. Heard the learned counsel on either side and perused the materials placed before this Court.

3. It is seen that the petitioner had purchased the property admeasuring 7 acres situated at Chekkapatti Village, Dindigul District, by the registered sale deeds dated 10.10.2020 vide Document No. 1009/20 and 1010/20 from one Asaithambi and his wife namely, Latha. The third respondent herein claimed title over the property and lodged a complaint before the second respondent to cancel the said documents. The second respondent conducted a detailed enquiry and declared the



W.P.(MD)No.1871 of 2025

WEB COPY

sale deeds as fraudulent one by the proceedings dated 15.05.2023.

However, the provisions under Sections 77A and 77B of the Registration Act, 1908 were declared as unconstitutional by this Court and the petitioner sought for cancellation of the order passed by the second respondent by submitting his representation, instead of challenging the same. The petitioner can very well challenge the order passed by the second respondent in the manner known to law, instead of submitting a representation to reconsider the issue.

4. In view of the above, the representation submitted by the petitioner cannot be considered and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to challenge the order passed by the second respondent in the manner known to law. There shall be no order as to costs.

24.01.2025

Index : Yes / No
NCC : Yes / No
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W.P.(MD)No.1871 of 2025

G.K.ILANTHIRAIYAN, J.

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TO:-

1. The Inspector General of Registration,
Registration Department,
Chennai.
2. The District Registrar,
Office of the District Registrar,
Dindigul District.

Order made in
W.P.(MD)No.1871 of 2025

Dated:
24.01.2025