

Cont.P.(MD).No.375 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Cont.P.(MD).No.375 of 2025

in

W.P.(MD).No.16246 of 2023

Dharmambigai

.. Petitioner

Vs.

1.The Inspector General of Registration,
O/o.the Inspector General of Registration,
No. 100, Santhome High Road,
Chennai.

2.The District Registrar (Administration),
Thanjavur District.

3.The Sub Registrar,
Pudalur,
Thanjavur District.

4.Anthonisamy

.. Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the contemnors / respondents herein for their willful disobedience of the orders passed by this Court in W.M.P.(MD).No.13619 of 2023 in W.P.(MD).No.16246 of 2023 dated 02.09.2024.

For Petitioner : Mr.K.Mahendran

For R-1 to R-3 : Mr.R.Suresh Kumar
Additional Government Pleader



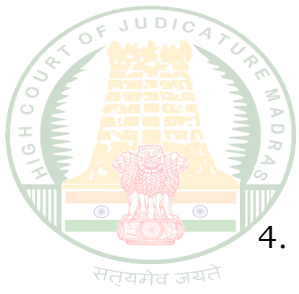
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ORDER

The petitioner has come forward with this Contempt Petition alleging that the second and third respondents have violated the interim order of stay granted by this Court in W.M.P.(MD).No.13619 of 2023 in W.P.(MD).No. 16246 of 2023 dated 05.07.2023.

2. The Writ Petition in W.P.(MD).No.16246 of 2023 challenged the proceedings of the District Registrar (Administration), Thanjavur District in Na.Ka.No.865/Aa4/2023 dated 24.05.2023. In and by way of this proceedings, the second respondent cancelled the sale deeds executed in favour of the writ petitioner by the fifth respondent therein. He had exercised the powers under Section 77A of the Registration Act.

3. When the Writ Petition came up for admission before this Court, a learned Single Judge entertained the petition and granted an order of interim stay of the impugned order on 05.07.2023. It is the plea of the contempt petitioner that despite the order cancelling her sale deed was kept in abeyance, the third respondent proceeded further and registered another document on 14.08.2024. According to Mr.K.Mahendran, this amounts to contempt of the orders of this Court.



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4. I have carefully considered the submissions of both sides. I have gone through the records.

5. Contempt, being a quasi-criminal proceedings, the action of the respondents should be of such a nature that it should lead the Court to the irresistible conclusion that there has been a wilful, deliberate and wanton violation of the orders of this Court. While the petitioner was successful in obtaining interim stay of the proceedings cancelling a sale deed, she did not secure any order restraining the third respondent from receiving any document with respect to the subject property. The fact that interim stay has been granted does not prevent registration of another document. Hence, I am of the view that there is no contempt of the orders of this Court.

6. However, I should take note of the fact that the order under Section 77A itself came to be set aside by this Court on 02.09.2024. This was based on the judgment of the Division Bench in ***M.Kathirvel Vs. Inspector General of Registration and others, 2024 (4) CTC 769***. While the third respondent has recorded the order dated 24.05.2023, cancelling the sale deed executed in favour of the writ petitioner, once that order had been set aside, the third respondent is duty bound to record the fact that the order dated 24.05.2023 had been set aside. Therefore, while I am not inclined to initiate proceedings for contempt, there shall be a direction to the third



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respondent to record in the register maintained by him that the order passed by the second respondent under Section 77A has been set aside by this Court in W.P.(MD).No.16246 of 2023 dated 02.09.2024.

7. With the above observations, this Contempt Petition stands dismissed.

21.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

1.The Inspector General of Registration,
O/o.the Inspector General of Registration,
No. 100, Santhome High Road,
Chennai.

2.The District Registrar (Administration),
Thanjavur District.

3.The Sub Registrar,
Pudalur,
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V.LAKSHMINARAYANAN,J.

Lm

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