



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

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**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE
AND
THE HONOURABLE MR.JUSTICE R.RAJESH VIVEKANANTHAN**

WA No. 850 of 2024 and CMP No. 5934 of 2024

1. The District Registrar Administration
Chennai South Zone, Jones Road,
Saidapet, Chennai- 600 015.

2. The Sub Registrar
Sub Registrar Office, Tambaram,
Chennai

Appellant(s)

Vs

1. D.Kothandan

2.Kalarajam

3.B Dineshbabu

4.D Rekha

Respondent(s)

PRAYER

To allow the Writ Appeal by setting aside the order dated 13.2.2024 passed in
W.P.No. 32422 of 2023.

For Appellant(s): Mr.Dominic Savio David,
SGP

For Respondent(s): Mr.V. Chandrakanthan For R 1
R2 and 3 Notice not ready
Mr. P. Dinesh Kumar For R4

**ORDER****(Order of the Court was made by Abdul Quddhose J.)**

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This writ appeal has been filed by the Registration Department, challenging the impugned order passed by the learned Single Judge dated 13.02.2024 in W.P. No.32422 of 2023.

2.The appellants are aggrieved by the adverse observations made against the official of the Registration Department by the learned Single Judge. In paragraph 5 of the impugned order, a direction has been issued to the Inspector General of Registration/ Appointing Authority/Disciplinary Authority to take action against the then District Registrar (Administration), Chennai South Zone, Jones Road, Saidapet, Chennai as to why he has not passed the final order based on the first respondent's/petitioner's representation more than 4 years. In the writ petition filed by the first respondent seeking for a Mandamus to direct the District Registrar (Administration) to pass orders in accordance with law based on the first respondent/petitioner's representation dated 22.06.2019 seeking for the cancellation of certain registered documents on the file of the Sub Registrar, Tambaram, the learned Single Judge of this Court had passed the aforesaid order initiating action against the then District Registrar (Administration), Chennai South Zone, Jones Road, Saidapet, Chennai. The first respondent/petitioner had sought for cancellation of the documents mentioned in the representation dated 22.06.2019 under Section 77-A of the Registration Act.



3. Section 77-A of the Registration Act 1908 has been held to be unconstitutional by this Court in the decision rendered in W.P. Nos.10291 of 2022 etc. batch in the case of M.Kathirvel and others vs. The Inspector General of Registration and others reported in CDJ 2024 MHC 5265.

4. Learned Special Government Pleader appearing for the appellants would submit that in view of the fact that Section 77-A of the Registration Act has been held to be unconstitutional, the adverse observations recorded by the learned Single Judge against the District Registrar (Administration) are uncalled for. He would also point out from the typed set of documents filed by the appellants before this Court the steps taken by the District Registrar (Administration) pursuant to the representation received from the first respondent/writ petitioner seeking for cancellation of the documents mentioned in the said representation.

5. As seen from the said representation, the District Registrar (Administration) has taken adequate steps by issuing notices to the necessary parties based on the representation given by the first respondent/writ petitioner from 17.08.2020 to 18.08.2022. On a prima facie consideration, this Court also finds that the District Registrar (Administration) has acted responsibly as a dutiful public servant on receiving the representation from the first respondent/writ petitioner. In view of the fact that Section 77-A of the Registration Act has



been held to be unconstitutional by this court and in view of the fact that proper steps were taken by the District Registrar (Administration) pursuant to the representation received from the first respondent/writ petitioner on 22.06.2019, the question of taking disciplinary action against the District Registrar (Administration) as directed by the learned Single Judge in the impugned order dated 13.02.2024 passed in W.P. No.32422 of 2023 does not arise. Hence, the adverse observation made by the learned Single Judge in the impugned order dated 13.02.2024 passed in W.P. No.32422 of 2023 that action will have to be taken by the Inspector General of Registration/Appointing Authority/Disciplinary Authority for the dereliction of his duty has to be expunged by this Court.

6. Accordingly, the direction issued by the learned Single Judge in the impugned order dated 13.02.2024 passed in W.P. No.32422 of 2023 directing the Inspector General of Registration/Appointing Authority/Disciplinary Authority to take action against the then District Registrar (Administration), Chennai South Zone, Jones Road, Saidapet, Chennai stands expunged. With the aforesaid direction, this writ appeal stands disposed of. Consequently, connected CMP is closed. No costs.

(AQJ) (RRVJ)
14-08-2026

vga



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WA No. 850 of 2024



**ABDUL QUDDHOSE J.
AND
R.RAJESH
VIVEKANANTHAN J.**

vga

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