



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 28204 of 2026

S.Indhumathi

W/o Selvakumar, No 3/66, Sellampatti,
Namakkal Taluk, Namakkal District

Petitioner(s)

Vs

1. The District Registrar
office of the District Registrar Namakkal
district

2.The Sub Registrar
Office of the SRO Rasipuram SRO
Namakkal District

3.Poomani
W/o late suresh Kumar, No 3/68, Periya
Veedhi, Sellampatti, namakkal Taluk
and District

4.Pachiyammal
W/o Ponnusamy Royakottai Main
Raod, Adhik Nursery Garden, hosur,
Krishnagiri District

5.Ramesh Kumar
S/o ponnusamy, Royakottai Main Raod,
Adhik Nursery Garden, hosur,
Krishnagiri District

6.Thamizhselvi
W/o Manikandan North street,
vadugam Village, Rasipuram Taluk,
Namakkal District



7.Rajendran

S/o Rangasamy, no 22/12 School Street,
Pattanam Village, Rasipuram Taluk,
Namakkal District

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Respondent(s)

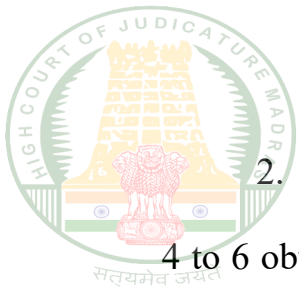
PRAYER:-- Writ Petition filed under Article 226 of Constitution of India, to direct the 1st Respondent to consider and pass appropriate orders on the petitioner's representation dated 18.02.2026 submitted under section 83 of the Registration Act, 1908 seeking initiation of prosecution against respondents 4 to 6 for having made false statements and misrepresentation before the registering authority in respect of the registration of Document No 577 of 2022 on the file of the 2nd respondent and the same may be done within a time frame as may be fixed by this Honble Court

For Petitioner(s): Mr.M.Sudhan

For Respondent(s): Mr.M.Roshan Aiir
Government Counsel
for R1 and R2

ORDER

This Writ Petition has been filed seeking a direction to the 1st Respondent to consider and pass appropriate orders on the petitioner's representation dated 18.02.2026, submitted under Section 83 of the Registration Act, 1908, seeking initiation of prosecution against Respondents 4 to 6 for making false statements and misrepresentations before the registering authority in respect of the registration of Document No. 577 of 2022 on the file of the 2nd respondent.



2. The learned counsel for the petitioner submits that private respondents 4 to 6 obtained a forged legal heir certificate after the demise of the petitioner's father-in-law, late Ponnusamy. The late Ponnusamy had two wives, namely Dhanam and Pachiyammal. Respondents 4 to 6 suppressed the fact of the first marriage with Dhanam as well as the existence of her children to fraudulently obtain the legal heir certificate. Further, on the strength of the said legal heir certificate, Respondents 4 to 6 got the patta mutated in their favor regarding the subject property and subsequently executed a sale deed in favor of one Rajendran in the year 2022, registered as Document No. 577 of 2022 on the file of the 2nd Respondent. The petitioner challenged the fraudulent act by filing an application before the Revenue Divisional Officer (RDO) seeking cancellation of the legal heir certificate. Upon conducting a detailed enquiry, recording statements, and perusing revenue records, the RDO cancelled the fake legal heir certificate vide proceedings dated 10.02.2026.

3. Learned counsel for the petitioner further submits that with the cancellation of the legal heir certificate, the sale deed executed on its basis loses its legal validity. Since Respondents 4 to 6 misrepresented facts and produced forged documents before the 2nd Respondent to grab family property, the petitioner submitted a representation to the 1st Respondent District Registrar, Namakkal District, to conduct an enquiry under Section 83 of the Registration

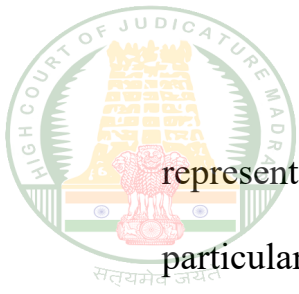


Act. However, no enquiry has been conducted till date.

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4. Learned Government counsel for respondents 1 and 2 submits that if misrepresentation or fraud in the registration process or issuance of a legal heir certificate comes to the knowledge of the registering authority, an enquiry will be conducted based on the representation. Upon completion and approval from competent higher authorities, a formal complaint will be lodged with the jurisdictional police/Commissioner of Police. He further submitted that upon learning of the illegality committed by Respondents 4 to 6, the petitioner is also at liberty to lodge a direct complaint with the police for appropriate investigation and criminal action under the relevant provisions of law.

5. I find force in the submissions made by the learned counsel for the petitioner. If the commission of an offence comes to light during or subsequent to the registration process, the official respondents are duty-bound to enquire into the matter upon obtaining necessary approval from higher authorities and lodge a police complaint for appropriate action. In the event of the commission of an offence comes to knowledge subsequent to the registration of a sale deed especially following the cancellation of a forged legal heir certificate, right rests with the petitioner as well as the official authority to set the criminal law in motion. Further, the 1st respondent-District Registrar, is bound to deal with the



representation/complaint of the petitioner strictly in accordance with law, particularly in light of Sections 82 to 84 of the Registration Act, 1908, to prosecute the offenders if an offence is made out.

6. Considering the facts and circumstances of the case, the 1st Respondent is directed to consider the petitioner's representation dated 18.02.2026, conduct an enquiry after giving notice to all interested parties and pass appropriate orders on merits and in accordance with law under Sections 82 to 84 of the Registration Act within a period of eight (8) weeks from the date of receipt of a copy of this order. The Writ Petition stands disposed of with the above directions. No costs.

22-07-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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KRISHNAN RAMASAMY J.

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To

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office of the District Registrar Namakkal
district

2.The Sub Registrar
Office of the SRO Rasipuram SRO
Namakkal District

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