



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-06-2026**

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**THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY**

**WP No. 19777 of 2026**

Sri Aadhi K.Sridhar,  
S/o.Kuppusamy,  
No.41-A, Arjuna nagar,  
sathy main road, Thanneerpandhalpalayam,  
periasemur, Erode - 638004.

..Petitioner(s)

Vs

1. The District Registrar,  
Office of the District Registrar,  
gobichettipalayam,  
Erode District.
2. The Sub Registrar,  
Office of the Sub Registrar,  
Kavunthampadi,  
Erode District.
3. The Inspector of Police,  
kavunthampadi police station, kavunthampadi,  
Erode District.
4. B.Satishkumar  
S/o.Balaraman,  
Door No.9/274/21,  
A.N.A.Nagar, near grace school, elavamalai  
village, Erode Taluk, Erode District.
5. P.Balakrishnan  
S/o.N.M.Perumal Gounder,  
coconut grove, perumalalai, suriyampalayam  
village, R.N.Pudur Post, Erode District.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India  
praying for issuance of writ of Mandamus directing the respondents 1 and 2 to



initiate criminal prosecution against the respondents 4 and 5, based on the representation of the petitioner dated 28.01.2026 under the provisions of section 83 of the Registration Act, 1908.

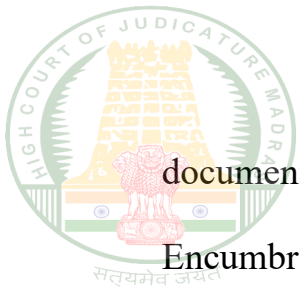
For Petitioner(s): Mr.K.Selvaraj

For Respondent(s): Mr.Roshan Atiq M., Government Counsel for R1 & R2

### Order

This Writ Petition has been filed to direct the respondents 1 and 2 to initiate criminal prosecution against the respondents 4 and 5 under the provisions of section 83 of the Registration Act, 1908, based on the petitioner's representation dated 28.01.2026.

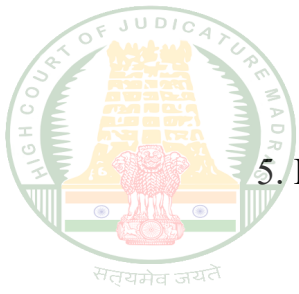
2. The learned counsel for the petitioner submitted that on 14.10.2015, the petitioner had purchased the land measuring 3.23 acres, situated at Kavunthampadi Village, by a registered Sale Deed dated 14.10.2015. Thereafter the petitioner along with his wife, had jointly commenced the construction of a Resort in the said land, after getting necessary permissions. Since the petitioner was engaged in his business activities, he appointed one B.Sathishkumar, as his Power Agent to look after the construction of the building, vide Power of Attorney dated 11.01.2021. While this being the position, suddenly the 5<sup>th</sup> respondent accompanied by rowdy elements, trespassed into the petitioner's property and threatened him to vacate the premises, claiming to hold valid title



document for the resort. Therefore, the petitioner has applied for grant of an Encumbrance Certificate, whereby it was found that the Power Agent / 4<sup>th</sup> respondent and the 5<sup>th</sup> respondent had colluded to fabricate a bogus Life Certificate dated 20.11.2023 by forging the petitioner's signature. Utilizing this forged certificate, they subsequently executed and registered an Agreement for Sale dated 13.12.2023.

3. Learned counsel for the petitioner further submitted that upon discovering the fraud committed by the respondents 4 and 5, the petitioner has sent a detailed complaint dated 28.01.2025 to the respondents 1 to 3 as well as to the District Superintendent of Police to initiate criminal proceedings against the respondents 4 and 5 under the provisions of Section 83 of the Registration Act. Since no action was taken on the said complaint, the petitioner has approached this Court by filing this petition.

4. On the contrary, the learned Government Counsel for the respondents submitted that the documents once registered and released by the Registering Authority, and if any person aggrieved from and out of such registration on account of impersonation, fraud etc., he has to approach the competent civil Court for cancellation of the documents/instruments or to prosecute the offenders under the criminal law by following the procedures as contemplated.



5. Heard both sides and also perused the materials available on record.

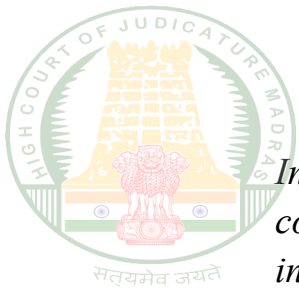
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6. A Division Bench of this Court, in ***S.S. Gayathri Bai v. The District Registrar, Krishnagiri and Others*** [2025 SCC OnLine Mad 8649], while dealing with a similar issue, held as follows: :

*‘‘16. Referring to Rule 54 and Rule 55 of the Registration Rules, the said Rules contemplate the procedures to be followed before the Registration. Chapter XI with reference to Section 35 of the Registration Act, 1908 contemplates the procedures on admission and denial of execution of the documents. Rule 54 and Rule 55 of the Registration Rules, 1908 deal with □Enquiry before registration□. Therefore, the said Rules empower the Registering Authority to verify the document, identity etc., before the registration of documents. However, the said Rules are of no avail to the Appellant/Petitioner herein since the Sale Deed had been registered and thereafter the Appellant/Petitioner came to know that her property was alienated through alleged impersonation.*

*17. Once a document is presented before the Registering Authority, and the Authority if find any irregularities/illegalities, powers are vested under the Act for initiation of action.*

*18. Therefore, in normal circumstances, documents once registered and released by the Registering Authority, and if any person aggrieved from and out of such registration on account of impersonation, fraud etc., he has to approach the competent civil Court for cancellation of the documents/instruments or to prosecute the offenders under the criminal law by following the procedures as contemplated. The enquiry to be conducted by the Registering Authority or the District Registrar or the*



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*Inspector General of Registration as the case may be confined with reference to the procedures to be followed and in the context and scope of the Registration Act, 1908, Rules and certainly not beyond that. “*

7. In view of the settled legal position, if fraud is detected *prior* to registration, the Registering Authority is empowered to take cognizance. However, in the present case, the documents have already been registered and released. Therefore, the petitioner must approach the jurisdictional police to initiate criminal action against respondents 4 and 5.

8. Since the petitioner has already preferred a formal criminal complaint, the concerned jurisdictional police is directed to register the complaint in terms of Sections 82 and 83 of the Registration Act, 1908, and proceed with the investigation expeditiously in accordance with law.

9. This Writ Petition stands disposed of with the above observations. No costs.

**09-06-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

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To

1. The District Registrar,  
Office of the District Registrar, gobichettipalayam,  
Erode District.
2. The Sub Registrar,  
Office of the Sub Registrar,  
Kavunthampadi,  
Erode District.
3. The Inspector of Police,  
kavunthampadi police station, kavunthampadi, Erode District.



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**KRISHNAN RAMASAMY J.**

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