



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 24253 of 2026

AND

WMP NO. 26401 OF 2026

B.Chandru
S/o.Balasubramanian,
Residing at No.1/76, Neelambur,
Sulur, Coimbatore District.

..Petitioner(s)

Vs

1. The Sub Registrar
Thondamuthur Sub-Registrar office,
Thondamuthur, Coimbatore.
2. The District Registrar
District Registrar office,
Coimbatore-641 018
3. The Tahsildar
Mathvarayapuram Village,
Perur Taluk, Coimbatore
4. The District collector
district Collectorate,
Coimbatore-641 018
5. A.I.Imthathul Basheer
S/o.A.V.Ibrahim,
No.105, Easwaran Kovil Road,
Coimbatore-641 001
6. G.Rajalakshmi
D/o.N.C.Angannan,
w/o.R.S.Ganesan,
Door No.12C, E.V.R. Nagar,
Peelamedu Post, Coimbatore-641 004.



7. S.Maragatham
D/o.N.C.Angannan,
W/o.V.Sivakumar,
Door No.A34, Balan Nagar,
Peelamedu Post, Coimbatore-641 004

8. A.James
s/o.J.Arulanatham,
Door No.12, Kalidas Road,
Ram Nagar, Coimbatore-641 009

9. M.K.Kalidasan
S/o.Masanam,
Door No.L-15, Rajiv Ganthi Nagar TNHB
Colony,
Sowripalayam, Coimbatore-641 028

10.N.Soundararaj,
S/o.Narayanaswamy Naidu,
Door No.30, Kaveri Road,
Maharani Avenue, 3rd Phase,
Vadavalli Coimbatore-641 041

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus to direct the respondents 1 to 2 to conduct an enquiry in survey number S.F. No.305 Mathavapuram village, Coimbatore South, within the registration jurisdiction of Thondamuthur Sub Registration office, pertaining to all illegal transactions cancellation of the documents committed in within a reasonable time frame as fixed by this Honourable Court in accordance with law

For Petitioner(s):

For Respondent(s):

Mr..B.JAGANNATH

Mr.DOMINIC S.DAVID, Government Counsel for
R1 and R2

Mr.M.Guruprasad, Government Counsel for R3
and R4



Order

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This Writ Petition has been filed to direct the respondents 1 to 2 to conduct an enquiry in survey number in question, pertaining to all illegal transactions and cancellation of the documents in accordance with law.

2. The learned counsel for the petitioner submitted that the petitioner's father, one Balasubramanian, became the absolute owner of the property comprised in S.F. Nos. 305/1A and 305/1B, measuring an extent of 5.17 acres, situated at Madhvarayapuram Village, Perur Taluk, Coimbatore District, having purchased the same from his mother vide a registered Sale Deed dated 27.09.2005. Subsequently, on 19.09.2011, the sisters of the said Balasubramanian executed a registered Power of Attorney in favour of one Mr. Imthathul Basheer, by fraudulently suppressing the earlier Sale Deed dated 27.09.2005. The said Power of Attorney holder, Imthathul Basheer, subsequently sold the subject properties and executed various Sale Deeds in favour of third parties.

3. Consequently, the petitioner submitted a complaint before the Revenue Divisional Officer on 30.05.2012, seeking the cancellation of the illegal mutation of revenue records. It is submitted that this is a clear case of impersonation, forgery, double documentation, and fraudulent mutation.



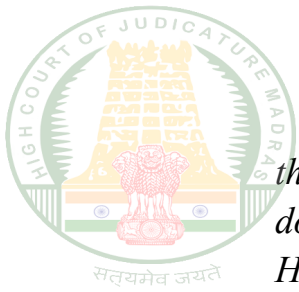
Therefore, the petitioner requested the official respondents to conduct an immediate enquiry and also submitted a fresh reminder representation dated 09.01.2026. Since no enquiry has been conducted by the authority till date, the petitioner has approached this Court by way of the present Writ Petition.

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.

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,



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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 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. It is a settled legal position that if fraud is detected prior to registration, the Registering Authority is empowered to take cognizance of the same. However, in the present case, the subject documents have already been registered and released. Therefore, the petitioner must approach the jurisdictional police or the competent Civil Court to initiate appropriate action



against the private respondents. The record indicates that the petitioner has not taken any steps thus far to seek the cancellation of these allegedly fraudulent documents before the competent Civil Court. Merely seeking a direction for an administrative enquiry at this juncture would serve no useful purpose. Under such circumstances, this Court finds no merit in the present Writ Petition. However, liberty is granted to the petitioner to either prefer a formal criminal complaint against the wrongdoers before the concerned jurisdictional police or approach the competent Civil Court for cancellation of the registered documents in accordance with law.

8. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

30-06-2026

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

SK

To

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WP No. 24253 of 2



KRISHNAN RAMASAMY J.

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