

W.P.(MD) No.19456 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.19456 of 2026

M.Mallika

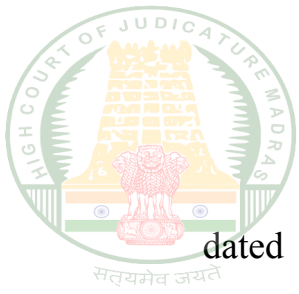
... Petitioner

Vs.

- 1.The Inspector General of Registration,
Registration Head Office,
Santhom High Road, Chennai - 600028.
- 2.The Deputy Inspector General of Registration,
Deputy Inspector General of Registration Office,
Palayamkottai, Tirunelveli - 627002.
- 3.The District Registrar,
District Registrar Office,
Thoothukudi - 628003.
- 4.Sub Registrar Joint No.1,
Sub Registrar Joint No.1 Office,
Thoothukudi – 628003.
- 5.P.Aruldass
- 6.Arumugakani
- 7.A.Muthukani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to take appropriate actions to cancel the fraudulent Sale Deed No.1156/2014,



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dated 08.05.2014 consequently reverse the earlier entry that was made when the sale deed was executed in favour of the fifth respondent as per the representation dated 16.03.2026.

For Petitioner : Mr.S.Radhakrishnan

For R1 to R4 : Ms.P.Sudarkodi Natchiyar
Government Standing Counsel

ORDER

The petitioner has filed the present Writ Petition seeking issuance of a Writ of Mandamus directing the respondents 3 and 4 to initiate appropriate action in respect of the alleged fraudulent Sale Deed dated 08.05.2014 registered as Document No.1156 of 2014 and to restore the earlier revenue entry by considering the petitioner's representation dated 16.03.2026.

2. According to the petitioner, the property comprised in Survey No.236/2A, Ayyanadaippu Village, Thoothukudi District, was originally purchased by one Ponnaiah Pillai from K.Aatthi, K.Vennimalai, A.Vennimalai and Peria Vennimalai. Upon the demise of Ponnaiah Pillai on 09.01.1991, the property is stated to have devolved upon his daughter, Subbulakshmi. It is the petitioner's case that several fraudulent transactions have thereafter been effected in respect of the said property,

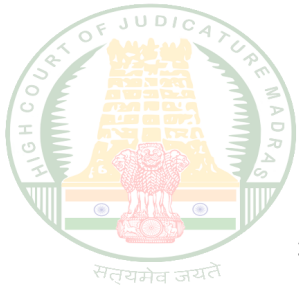


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culminating in the issuance of patta in favour of third parties, which, according to the petitioner, has since been cancelled.

3. It is further submitted that the fourth respondent instituted O.S.No.261 of 2013, which ultimately came to be settled before the Lok Adalat, Thoothukudi, on 12.02.2024. The learned counsel for the petitioner would contend that the facts of the present case warrant initiation of proceedings under Section 83 of the Registration Act, 1908 against the private respondents. In support of the said contention, reliance has been placed upon certain decisions of this Court.

4. The submissions, though attractive at first blush, cannot be accepted. The validity of a registered Sale Deed and the rival claims of title involve disputed questions of fact, which cannot be adjudicated in exercise of the extraordinary jurisdiction under Article 226 of the Constitution of India. It is for the petitioner to establish her title and seek appropriate declaratory relief before the competent Civil Court by instituting appropriate proceedings to declare the Sale Deed dated 08.05.2014 registered as Document No.1156 of 2014, as well as any other consequential conveyances, as null and void.



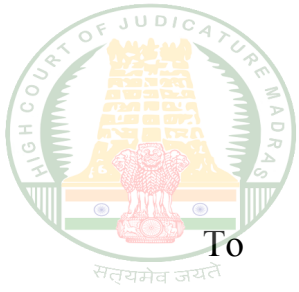
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5. That apart, the statutory mechanism under Section 77-A of the Registration Act, 1908, as inserted by the Registration (Tamil Nadu Amendment) Act, 2022 (Tamil Nadu Act 41 of 2022), is no longer available, since the said provision has been declared unconstitutional by this Court in **M.Kathirvel v. Inspector General of Registration** [2024 (4) CTC 769]. Consequently, the Registering Authorities cannot exercise powers under the said provision.

6. In the above circumstances, the Writ Petition is dismissed, with liberty to the petitioner to work out her remedies before the competent Civil Court. If the petitioner succeeds in obtaining a decree declaring the impugned Sale Deed and the subsequent conveyances as null and void, it will be open to her to approach the competent authorities for such further action as may be permissible in law, including under Section 83 of the Registration Act, 1908, if the circumstances so warrant. There shall be no order as to costs.

NCC : Yes / No
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C.SARAVANAN, J.

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