



WP(MD). No.21098 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 21/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.21098 of 2022 and
WMP(MD) No.15320 of 2022**

Parameswaran.S

... Petitioner

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinappakkam, Chennai - 600 028..
2. The Deputy Inspector General of Registration,
Appellate Authority,
Madurai Region, Madurai..
3. The District Registrar (Administration)/,
Enquiry Officer, (In the
Cadre of Assistant Inspector of
Registration), Tirunelveli..
4. The Sub Registrar,
Nanguneri, Tirunelveli District..
5. The Sub Registrar,
Melapalayam, Tirunelveli District.
6. Jebrathinam N,
7. Rajarathinam N



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8. Latha K

... Respondents

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PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records pertaining to the impugned orders passed by the 2nd respondent in Na.Ka.No.2248/ThaPi/2022, dated 12.07.2022 and 3rd respondent in Na.Ka.No.8276/E4/2021, dated 22.03.2022.

For Petitioner	: M/s Saravanan.M
For Respondents	: Mr.P.Subbaraj for R1 to R5 Special Government Pleader Mr.R.J.Karthick for R6 No appearance for others

ORDER

Challenge has been made to the impugned order of the 2nd respondent in Na.Ka.No.2248/ThaPi/2022, dated 12.07.2022 and 3rd respondent in Na.Ka.No. 8276/E4/2021, dated 22.03.2022, in and by which, the third respondent has given a finding that the registration is a fraudulent registration and on appeal before the 2nd respondent, the 2nd respondent has also confirmed it.

2. The petitioner purchased the property in the year 2008 and sale has been executed by the 7th respondent as a partner of St. Abraham Firm promoters a land promoter. Thereafter a complaint has been given by the respondent No.6 stating that the power of attorney granted in favour of the 7th respondent has been cancelled as early as on 18.02.2008 on which date, the 7th respondent had executed a sale deed in



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favour of the petitioner for the two items of property out of 6. Based on that complaint, it is held that the document has been fraudulently registered.

3. On going through the impugned order, it is seen that the order has been passed without any discussion and without recording any evidence. Hence, this Court is of the view that the order cannot be sustained in the eye of law. That apart, the Apex Court in *Satya Pal Anand v. State of M.P.*[2016 10 SCC 767], and this Court in **G. Rajasulochana v Inspector General** made in W.P 29706 of 2024 dated 16.04.2024, had elaborately dealt with the issue of fraudulent registration. Therefore, it is for the parties to work out their remedy before the competent civil court. Accordingly, (*)this Writ petition is allowed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

(*)Corrected as per order of this Court dated 11/09/2024 made in WP(MD)No. 21098 of 2022

Sd/-

Assistant Registrar ()

// True Copy //

/09/2024

Sub Assistant Registrar(CS)

RR



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TO

(*)To be substituted the order which already despatched on 10/09/2024

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinappakkam, Chennai - 600 028.
2. The Deputy Inspector General of Registration,
Appellate Authority,
Madurai Region, Madurai.
3. The District Registrar (Administration)/,
Enquiry Officer, (In the
Cadre of Assistant Inspector of
Registration), Tirunelveli..
4. The Sub Registrar,
Nanguneri, Tirunelveli District.
5. The Sub Registrar,
Melapalayam, Tirunelveli District.

+1 CC to M/s.M.SARAVANAN, Advocate (SR-51406[F] dated 13/09/2024)

+1 CC to M/s.SPL.GP (SR-51602[F] dated 13/09/2024)



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+1 CC to M/s.R.J.KARTHICK, Advocate (SR-45396[F] dated 21/08/2024)

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MGJ(27.09.2024) 5P 9C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023