



WEB COPY

W.A.No.1606 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

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**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and**

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.No.1606 of 2025

and

C.M.P.No.12028 of 2025

1. S.Venugopal

2. R.Sivakumar ... Appellant(s)

Vs.

1. P.Kumaran

2. Malinbi

3. The Deputy Registrar (Registration), Vellore.

4. The District Registrar (Registration), Vellore. ... Respondent(s)

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 15.07.2024 passed in W.P.No.11174 of 2024.

For Appellant(s) : Mr.K.V.Ananthakrishnan

For R3 & R4 : Mr.U.Baranidharan,
Special Government Pleader

J U D G M E N T



(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

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The writ order dated 15.07.2024 passed in W.P.No.11174 of 2024 is under challenge in the present writ appeal.

2. The proceedings of the Deputy Registrar (Registration), Vellore, dated 03.02.2023 came to be challenged in the writ proceedings. The learned Single Judge allowed the writ petition on the ground that the complaint was given by the appellants claiming to be the owners of the property in Survey No.525/70 to an extent of 1,305 sq.ft and another extent of 1,300 sq.ft in Survey No.525/71. However, the respondents 1 and 2 herein/ writ petitioners are in possession of the property in Survey No. 525/69 and had dealt with an excess extent of property belonging to the appellants. On the said basis, the learned counsel for the appellants would raise a ground that it is a fraudulent transaction and therefore, the document is to be cancelled. Both the Deputy Registrar (Registration) and the District Registrar (Registration) rejected the complaint filed by the appellants.

3. The Division Bench of this court in the case of **“M. Kathirvel v. The Inspector General of Registration”¹**, struck down Section 77-A of the Registration Act. That apart, the disputed facts relating to title

¹ (2024) 4 CTC 769



cannot be adjudicated by the authorities of the Registration Department nor by the writ court. Such issues are to be adjudicated before the competent civil court. The writ court, in the present case, has rightly relegated the parties to resolve the issues through the civil court of law. Therefore, this court does not find any infirmity in respect of the decision arrived and consequently, the same stands confirmed.

4. Accordingly, the writ appeal stands dismissed. No costs.
Connected miscellaneous petition is closed.

(S.M.S.,J.) (M.S.Q.,J.)
19.09.2025

skr
Index : Yes

S.M.SUBRAMANIAM, J.
and
MOHAMMED SHAFFIQ, J.

skr



W.A.No.1606 o



To

1. The Deputy Registrar (Registration), Vellore.
2. The District Registrar (Registration), Vellore.

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