



W.A.No.1172 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 16.04.2025**

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**CORAM :**

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH  
and  
THE HONOURABLE MR.JUSTICE C. KUMARAPPAN**

**Writ Appeal No.1172 of 2025**

N.Yasmine Begame

.. Appellant

VS

1.The Inspector General of Registration-cum-  
Secretary (Revenue), Puducherry.

2.The District Registrar,  
Puducherry District, Puducherry.

3.The Sub Registrar,  
Office of the Sub Registrar,  
Villianur, Puducherry.

4.The Sub Registrar (Administration),  
Puducherry.

.. Respondents

Prayer : APPEAL filed under Clause 15 of the Letters Patent against the  
order dated 08.07.2024 in W.P.No.18535 of 2024 on the file of this Court.

For Appellant : Mr.S.P.Sudalaiyandi

For Respondents : Mr.V.Vasanth Kumar  
Additional Government Pleader (Puducherry)

**JUDGMENT**



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(Delivered by Dr.ANITA SUMANTH.,J)

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The writ petitioner is the appellant. The prayer in the writ petition is to quash proceedings issued by the Sub Registrar (Administration) Puducherry/R4 dated 21.12.2023. The impugned order in the writ petition had been passed pursuant to a representation filed by the petitioner on 07.11.2023.

2.Inter alia, the appellant has set forth her grievances that a general power of attorney had been executed by her in favour of one K.Kumar, who had forged life certificate from one Dr.S.P.Raja with the intention of cheating her mother. Based on the allegedly fraudulent life certificate, documents of sale had been executed in favour of third parties.

3.In representation dated 07.11.2023, the writ petitioner has prayed that the proviso to Section 83(1) of the Registration Act, 1908 be invoked. That provision deals with the commencement of prosecution by a registering officer and reads as follows:

**'83. Registering officer may commence prosecutions.-** (1) *A prosecution for any offence under this Act coming to the knowledge of a registering officer in his official capacity may be commenced by or with the permission of the Inspector General, the Registrar or the Sub-Registrar, in whose territories, district or sub-district as the case may be, the offence has been committed.*

(2) *[Save as provided in section 80-G offences] punishable under this Act shall be triable by any court or officer exercising powers not less than those of a*



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*Magistrate of the second class.}]'*

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4.The learned Judge has dismissed the writ petition being of the view that the Act of execution of power of attorney in favour of Kumar had not been disputed and that based on that very power of attorney, other transactions of sale had been executed by that power agent. He was hence of the view that the documents executed, if any, based on the allegedly fraudulent bogus life certificate ought to be cancelled in a manner known to law and not by filing a complaint before the registering authorities.

5.It is as against the aforesaid order that the present writ appeal has been filed and Mr.S.P.Sudalaiyandi, learned counsel appearing for the appellant would submit that his grievance to initiate prosecution under Section 83 of the Registration Act has not been alleviated either by way of the order impugned in writ petition dated 21.12.2023 or by way of the order passed by the writ Court on 08.07.2024.

6.Per contra, Mr.V.Vasantha Kumar, learned Additional Government Pleader (Puducherry) would submit that Section 83 would stand attracted only in the eventuality of a disciplinary proceeding qua officers of the Registration Department itself.

7.Even assuming for a moment that the power under Section 83 could be expanded beyond what was contemplated, the life certificate in



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this case has been issued by a Doctor and the registering authority would not have the machinery to address a grievance of the nature projected by the appellant.

8.A perusal of Section 83 which we have extracted above would indicate that a prosecution may be initiated for offence committed under the Registration Act with the permission of the Inspector General, Registrar or Sub-Registrar by a registering officer. There is some merit in what learned Additional Government Pleader states as the scope of enquiry by a registering authority under Section 83 would be limited to the documents that are presented for registration itself and not to allied or supplementary documents such as the life certificate in the present case. That apart, the appellant does not appear to have even approached the police, which, in our considered view, would had been the appropriate course of action to have been adopted in the present case.

9.In light of the aforesaid discussion, we see nothing to be gained by accepting the plea of the appellant that the order impugned in writ petition does not advert to the plea invoking Section 83 of the Registration Act under representation dated 07.11.2023. There would be nothing in our view to be gained by directing disposal of that representation and in fact



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order dated 21.12.2023 has been passed pursuant to representation dated 07.11.2023 and in our view, has approached the matter in proper perspective.

10. We find no infirmity in the order of the Writ Court and the Writ Appeal is dismissed. No costs.

[A.S.M., J] [C.K., J]  
16.04.2025

vs

Index:No

Speaking order

Neutral Citation:Yes

To

1. The Inspector General of Registration-cum-Secretary (Revenue), Puducherry.
2. The District Registrar,  
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**and**  
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