



W.P. No.15727 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.15727 of 2025

Rama Reddy

... Petitioner(s)

Vs.

1.The Deputy Inspector General of Registration,
Combined Buildings, Kamaraj Nagar
Colony, Ammapettai Salem-636 014.

2.The District Registrar
District Registrar Office,
Krishnagiri-632 001.

3.The Sub-Registrar,
Kelamangalam Sub Registrar Office,
Krishnagiri District.

4.Krishna Reddy

... Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings in No.570/E3/2023 dated 24.07.2023 passed by the 3rd respondent and quash the same and consequently direct the 3rd respondent to restore the settlement deed dated 08.12.2003 registered as Doc. No. 2048 of 2003 and partition deed dated 18.01.2017 registered and to remove the entries made in the Schedule-II.



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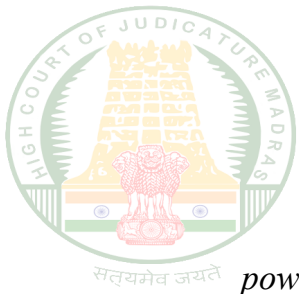
For Petitioner(s) : Mr.M.Mohamed Riyaz
For Respondent(s) : Mr.U.Baranidaran
1 to 3 Special Government Pleader

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the 4th Respondent is dispensed with.

2. The present writ petition is filed praying for a writ of Certiorarified Mandamus challenging the impugned proceedings in No.570/E3/2023 dated 24.07.2023 passed by the 3rd respondent whereby the settlement deed dated 08.12.2003 and partition deed dated 18.01.2017 were cancelled and quash the same and consequently direct the 3rd respondent to restore the settlement deed dated 08.12.2003 registered as Doc.No.2048 of 2003 and to remove the entries made in the Schedule-II.

3. At the outset, it was submitted by Mr.Bharanidaran, learned Special Government Pleader (Registration) that the impugned order may fall foul of the order of the Division Bench of this Court in the case of ***M.Kathirvel v. Inspector General of Registration*** reported in (2024) 4 CTC 769 wherein, it was held as under:



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“178. Section 68[2] of Registration Act was interpreted to confer power on the District Registrar to cancel the document for irregularities in registration. As this Court has already held that Section 77-A of the Act is unconstitutional as it is contrary to the object of the Act, any circular or order or direction enabling the District Registrar or Registering Officer to cancel registration or invalidating any transaction is unconstitutional and hence, the impugned circular dated 08.11.2017 is declared as unconstitutional. The writ petition stands allowed.”

4. In view thereof, the impugned order cancelling the settlement deed dated 24.07.2023 is set aside, it is open to the parties, if aggrieved, to work out their remedy in accordance with law. The writ petition stands disposed of with the above direction. No costs.

02.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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To:

1. The Deputy Inspector General of Registration,
Combined Buildings, Kamaraj Nagar
Colony, Ammapettai Salem-636 014.
2. The District Registrar
District Registrar Office,
Krishnagiri-632 001.
3. The Sub-Registrar,
Kelamangalam Sub Registrar Office,
Krishnagiri District.

W.P. No.15727 of 2025

02.06.2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS



W.P. No.15727 of 2025

DATED : 08.07.2025

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CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.15727 of 2025

Rama Reddy

Petitioner(s)

Vs

1.The Deputy Inspector,
Combined Buildings,
Kamaraj Nagar Colony,
Ammapettai Salem-636 014.

2.The District Registrar,
District Registrar Office,
Krishnagiri-632 001.

3.Krishna Reddy

Respondent(s)

For Petitioner(s) : Mr. M.Mohammed Riyaz

For Respondent(s) : Mr.Abishek Murthy

ORDER

Today, the case is listed under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. It is submitted by the learned counsel for petitioner that the writ



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petition was disposed of vide order dated 02.06.2025 and seeks clarification

WEB.COM regarding inclusion of date of impugned order in paragraph no.4 of the order.

3. The learned counsel for respondents submitted that he has no objection to the above submission of the learned counsel for petitioner.

4. Heard both sides.

5. In view of the said submission made by the learned counsel for petitioner, 4th paragraph of the order in W.P.No.15727 of 2024 dated 02.06.2025, is substituted with the following paragraph:

“4. In view thereof, the impugned order dated 24.07.2023, cancelling the settlement deed is set aside, it is open to the parties, if aggrieved, to work out their remedy in accordance with law. The writ petition stands disposed of with the above direction. No costs.”

6. Except the above modification, all other paragraphs made in the earlier order dated 02.06.2025 shall remain intact. Registry is directed to carry out necessary corrections and issue the corrected order copy to the parties forthwith.



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W.P. No.15727 of 2025

08.07.2025

To:

- 1.The Deputy Inspector,
Combined Buildings,
Kamaraj Nagar Colony,
Ammapettai Salem-636 014.
- 2.The District Registrar,
District Registrar Office,
Krishnagiri-632 001.