



W.A. No.2640 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM

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

AND

THE HONOURABLE MR. JUSTICE **P.DHANABAL**

W.A. No.2640 of 2025
and C.M.P. No.21214 of 2025

Sree Lakshmi Nagar Welfare Association
rep. By its Secretary Mr.A.Firdouse,
No.3, 2nd Street, Indira Gandhi Nagar,
Adambakkam, Chennai – 600 088.

... Appellant

Vs.

1.Tmt.Lakshmi Laser Maria

2.The Inspector General of Registration (I.G.R.),
Santhome High Road, Mylapore,
Chennai.

3.The District Registrar,
Chengalpattu, Chengalpattu District.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order
dated 21.01.2025 in W.P. No.1207 of 2025.



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For Appellant : Mr.K.S.Viswanathan,
Senior Counsel
for Mr.S.Anand Raj
and Mr.J.Rajmohan

For Respondents : Mr.V.Manisekaran for R1
Mr.T.Arun Kumar,
Additional Government Pleader
for R2 and R3

JUDGMENT

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

Under assail is writ order dated 21.01.2025 passed in W.P.No.1207 of 2025. Appellant before this Court viz., Sree Lakshmi Nagar Welfare Association is not a party in the writ proceedings and by securing leave from this Court, present intra-court appeal came to be instituted.

2. First respondent/writ petitioner filed a writ of mandamus to direct the District Registrar, Chengalpet to cancel the illegal documents in pursuance of the proceedings of Inspector of Police, Land Grabbing Special Cell, Kancheepuram dated 19.05.2012. The said letter issued by Sub Inspector of Police, Anti Land Grabbing Cell, Kancheepuram, dated 19.05.2012 would show that Sub Inspector of Police conducted an enquiry and power Agent one Venkatathri did not appear before Sub Inspector of Police for enquiry. Thus, a letter was addressed to District

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Registrar, Kancheepuram, to take action on the complaint given by first respondent/writ petitioner. Said letter *per se* would not provide cause for institution of writ proceedings. The Sub Inspector of Police, on receipt of complaint, if found any offence warranting registration of a regular criminal case, is bound to initiate appropriate action. But in the present case, he has sent a complaint to the District Registrar for appropriate action. Thus, the letter cannot give cause for seeking relief against the District Registrar to cancel the document. A registered document cannot be cancelled without following due process of law.

3. Mr.K.S.Viswanathan, learned senior counsel appearing on behalf of the appellant would submit that first respondent earlier filed W.P.No.22226 of 2023 seeking a direction to District Registrar, Chennai and District Registrar, Chengalpet, to conduct an enquiry in respect of alleged bogus power of attorney. Writ Court considered the issue and granted liberty to the first respondent to approach the competent civil Court of law for the purpose of securing appropriate relief.

4. By suppressing the said order passed by writ Court on 27.07.2023, another writ petition came to be filed in W.P. No.1207 of 2025 and writ Court passed an order stating that authorities after investigation, found that documents (Document Nos.372/1984, 39/1985 and 70/1985) to be a product of fraud and impersonation. Accordingly, writ petition was disposed of with a direction to the District Registrar to



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make entries/remarks in encumbrance certificate against the other documents stating that these documents have been created by fraud and impersonation and shall not entertain any further document from the persons named in the above documents. Such a direction has been issued by writ Court in the impugned order without any finding to the effect that those documents are fraudulent or otherwise. In the absence of any finding to the effect that the documents produced are proved to be fraud or impersonated, direction issued to cancel the documents would cause prejudice to the other parties and it may result in miscarriage of justice. To declare a document as fraudulent or registration has been done by way of impersonation, enquiry contemplated under the statutes are to be followed. Opportunities should be provided to all the parties to establish their respective cases and thereafter direction may be issued.

5. In the present case, no reason has been assigned for issuing such a direction to the District Registrar and that apart, first respondent/writ petitioner had suppressed the earlier order passed by writ Court in W.P.No.22226 of 2023. Pursuant to the said order, first respondent/writ petitioner has instituted a civil suit in O.S. No.90 of 2024 on the file of District Munsif, Chengalpet. Thus, first respondent/writ petitioner ought to have secured appropriate relief from the civil Court in order to protect his rights. Second writ petition for the similar relief is not maintainable. That apart, regarding the offence of creation of fraudulent



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documents or otherwise, first respondent/writ petitioner is at liberty to prosecute the offenders under criminal law in the manner contemplated. Instead of doing so, first respondent/writ petitioner is attempting to secure an order from the writ Court one way or other, which is impermissible.

6. In view of the facts and circumstances, impugned writ order dated 21.01.2025 passed in W.P.No.1207 of 2025 is set aside and the writ appeal is allowed. However, the first respondent/writ petitioner is at liberty to work out her remedy in the manner known to law. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[S.M.S., J.] [P.D.B., J.]
21.11.2025

Index:Yes/No

Neutral Citation:Yes/No

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To

1.The Inspector General of Registration (I.G.R.),

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Santhome High Road, Mylapore,
Chennai.

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2.The District Registrar,
Chengalpattu, Chengalpattu District.



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