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W.A.No.2426 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.A.No. 2426 of 2025
and
C.M.P.No.18632 of 2025

Ravi Mchara

...Appellant

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Santhome, Mylapore,
Chennai – 600 004.
- 2.The Deputy Inspector General of Registration,
Coimbatore Zone,
Office of DIG Registration, Coimbatore.
- 3.The District Registrar (Admin) (AIG Cadre),
Office of District Registrar, Coimbatore.
- 4.The Sub-Registrar,
O/o. Sub Registrar, Madukkarai,
Coimbatore District.
- 5.V.Thulasimani
- 6.Selvarathinam
- 7.S.Selvanayagi
- 8.S.Selvakrishna



W.A.No.2426 of 2025

9.S.Selvasriram

10.K.G.Ganesh

11.The Tahsildar,
Madukarai Taluk,
Coimbatore District.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the impugned order in respect of Para 12 and 13 in WP.No.25817 of 2023 dated 04.03.2023 and consequently order the deletion consequential impugned entries carried out by the 4th respondent in settlement deed dated 07.12.2022 and sale deed dated 24.07.2023 which was registered by the 4th respondent without title in favour of the 10th respondent.

For Appellants : Mr.V.Arun
For Dr.S.Ambigai Dass

For Respondents : Mr.U.Baranidharan,
Spl.GP for R1 to R4 and R11
Mr.N.Manokaran for R5 to R9
Mr.K.Sudhakar for R10

J U D G M E N T

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

The Writ Appeal has been instituted challenging the writ order dated 04.03.2023 passed in W.P.No.25817 of 2023.

2. The writ petitioner is the appellant before this Court. The Writ Petition



W.A.No.2426 of 2025

has been instituted challenging the orders passed by the Inspector General of

Registration dated 31.07.2018 and the orders passed by the Deputy Inspector General of Registration dated 21.06.2022 modifying the orders of the District Registrar. The 5th respondent Smt.V.Tulasimani filed a complaint to the District Registrar to cancel the sale deed dated 13.10.2005 under Section 68(2) of the Registration Act. Based on the circular issued by the Inspector General of Registration, the District Registrar passed an order that the sale deed dated 13.10.2005 has been fraudulently registered and directed the Sub-Registrar not to carryout further transactions in respect of the property. However, the District Registrar had not cancelled the sale deed, but, held that the sale deed has been registered fraudulently.

3. The Writ Petition in W.P.No.27297 of 2023 has been instituted and a direction was issued to the writ petitioner to approach the appellate authority. Thus, the appeal was preferred before the Deputy Inspector General of Registration, the 2nd respondent. During the interregnum period the 5th respondent Tmt.Tulasimani settled the subject property in favour of the respondents 6 to 9 by way of a settlement deed dated 07.12.2022. Thereafter, a civil suit was instituted in O.S.No.1383 of 2011. In view of the order of the Deputy Inspector General of Registration the suit in O.S.No.1383 of 2011 re-numbered as O.S.No.330 of 2020 was withdrawn on 03.02.2023. The appellate



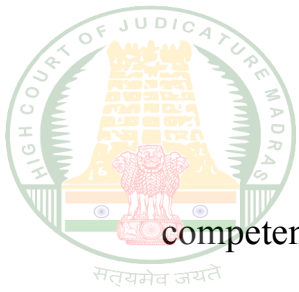
W.A.No.2426 of 2025

Authority passed an order on 20.07.2023 and directed the parties to settle the dispute before the competent civil Court of law by modifying the order of the District Registrar.

4. During the pendency of the Writ Petition, the appellant herein filed a suit in O.S.No.149 of 2023 on the file of the II Additional District Court, Coimbatore to declare that the sale deed dated 13.10.2005 is valid and to declare the settlement deed executed by the 5th respondent in favour of the respondents 6 to 9 dated 07.12.2022 as null and void and *non-est* in law. Consequential sale deeds executed are also under challenge in the civil suit.

5. The sale deed registered as Doc.No.3053 of 2005 dated 13.10.2005 was declared as fraudulent registration based on the circular dated 31.07.2018 issued by the Inspector General of Registration under Section 68(2) of the Registration Act. It is not in dispute that Section 77A conferring power on the District Registrar to cancel the document has been struck down by the Division Bench of this Court in the case of *M.Kathirvel Vs. Inspector General of Registration* reported in **2024 (4) CTC 769**. The circular issued by the Inspector General of Registration was also quashed. The power granted to the District Registrar to cancel the registered documents is no more available.

Therefore, the parties are bound to settle the issues by approaching the



W.A.No.2426 of 2025

competent civil Court of law.

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6. The writ Court found that the suit instituted by the appellant in O.S.No.149 of 2024 is pending. The relief sought for in the suit is for a declaration to declare the sale deed and the settlement deed and the consequential sale deeds executed between the parties as null and void. The writ Court further considered that the earlier suit filed in O.S.No.1383 of 2011 renumbered as O.S.No.330 of 2020 was withdrawn. In this context, the writ Court made an observation that the other parties may prefer a counter claim in the pending suit or institute a fresh suit if permissible.

7. The learned counsel for the respondents would also submit that the parties have to crystallize their civil rights in the pending suit by way of adjudication. It is brought to the notice of this Court that the counter claim has also been filed. Under these circumstances, it would be unnecessary for the writ Court to adjudicate the disputed issues of civil nature. Since the power conferred under Section 77A and the circular issued under Section 68(2) of the Registration Act have been struck down, the High Court need not adjudicate the disputed facts relating to the relief seeking cancellation of the registered documents viz., the settlement deed and sale deeds in the present case. It is for the parties to work out their remedy before the civil Court in the manner known



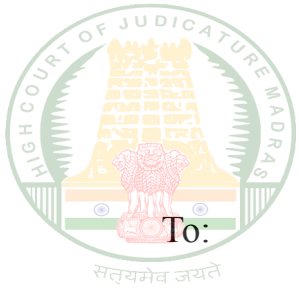
W.A.No.2426 of 2025

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8. Thus this Court do not find any infirmity in respect of the findings made by the learned Single Judge in the writ order impugned in this Writ Appeal. Consequently, the Writ Appeal stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S., J.) (C.S.N., J.)
12.09.2025

dsa
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order



W.A.No.2426 of 2025

To:

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Santhome, Mylapore,
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W.A.No.2426 of 2025

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and
C.SARAVANAN, J.

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