



W.P.No.27017 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.09.2025

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The HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.27017 of 2025
and
WMP.No.30317 of 2025

Sakunthala

...Petitioner

Vs.

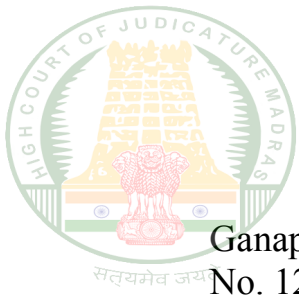
1. The Inspector General of
Registration,
No 100, Santhome High Road,
Chennai 600 028.

2.The Deputy Inspector General Of
Registration,
Coimbatore Region,
No 6/1, G.R.D. Road,
Red Fields, Coimbatore 641 018,

3.The District Registrar
(Administrtion)
Collector Office Compound,
State Bank Road,
Coimbatore 641 018.

4.The Sub-Registrar,

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Ganapathy Sub-registrar Office,
No. 12/1 Maniyakaranpalayam Road,
Ganapathy, Coimbatore.

5.V.Rajaram.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka. No 14616/ E2 / 2022 dated 17.02.2023 and quash the same as illegal.

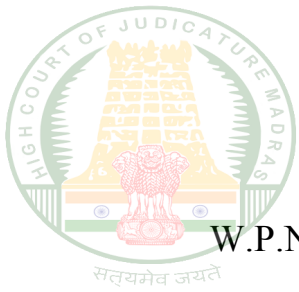
For Petitioner	:	Mr.K.Navaneetharaja
For Respondents	:	Mr.U.Baranidharan (R1 to R4) Special Government Pleader No appearance (R5)

ORDER

The challenge in this Writ Petition is to the order dated 17.02.2023 passed by the 3rd respondent and to quash the same.

2. When this Writ Petition is taken up for hearing, the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the petitioner would submit that the Division Bench of this Court in a batch of cases vide Judgment dated 02.08.2024 in

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W.P.No.10291 of 2022, etc., batch has held that Section 77A of the

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Registration Act is unconstitutional and it has no retrospective effect and the registering authority has no power to cancel or invalidate the documents already registered and relegated the parties to the Civil Court. Therefore, by virtue of the aforesaid Judgment, the impugned order passed by the 3rd respondent is liable to be quashed. Therefore, they prayed for appropriate orders.

3. Considering the submissions made by the learned counsel appearing on either side and in view of the aforesaid Judgment of the Division Bench of this Court dated 02.08.2024 in W.P.Nos.10291 of 2022, etc., batch impugned order passed by the 3rd respondent is liable to be quashed and accordingly the impugned order dated 17.02.2023 passed by the 3rd respondent is quashed. However, the 3rd respondent-authority can relegate the parties to Civil Court, if so advised.

4. With the above observations and directions, this Writ Petition is



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disposed of. No costs. Consequently, connected Miscellaneous Petition is

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closed.

02.09.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No
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- To
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KRISHNAN RAMASAMY, J.



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