



W.P.Nos.32438 & 32441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

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CORAM :
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

Writ Petition Nos.32438 & 32441 of 2025

W.P.No.32438 of 2025:

Marcus Frederick Lazaro

... Petitioner

Vs.

1. Inspector General of Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600 028.

2. The District Registrar,
Chennai South,
Integrated building for Offices of the Commercial Taxes
and Registration Department,
Fanepet, Nandanam,
Chennai - 600 035.

3. The Sub Registrar,
Joint II-Saidapet,
Fanepet, Nandanam,
Chennai - 600 035.

4. Augustin Chellappa

... Respondents



W.P.Nos.32438 & 32441 of 2025

Prayer:
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Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorari calling for the records pertaining to the impugned order in Na.Ka.No.21457/E2/2022 dated 12.07.2023 of the second respondent under Section 77A of Registration Act 1908 to quash the same.

W.P.No.32441 of 2025:

Yvonne Mary Vanhaltren

... Petitioner

Vs.

1. Inspector General of Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600 028.

2. The District Registrar,
Chennai South,
Integrated building for Offices of the Commercial Taxes
and Registration Department,
Fanepet, Nandanam,
Chennai - 600 035.

3. The Sub Registrar,
Joint II-Saidapet,
Fanepet, Nandanam,
Chennai - 600 035.

... Respondents



W.P.Nos.32438 & 32441 of 2025

Prayer:

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorari calling for the records pertaining to the impugned order in No.19836/E2/2022 dated 29.05.2023 of the second respondent under Section 77A of Registration Act 1908 to quash the same.

For Petitioner : Mr.K.Jayaraman
in both W.Ps.,

For Respondents 1 to 3 : Mr.P.Harish,
in both W.Ps., Government Advocate

COMMON ORDER

Challenge has been made against the orders in Na.Ka.No.21457/E2/2022, dated 12.07.2023 and No.19836/E2/2022, dated 29.05.2023, passed by the second respondent under Section 77-A of the Registration Act, 1908.

2. When the matter was came up for hearing, learned counsel on either side submitted in unison that the subject matters of these writ petitions are no longer *res-integra* and the same is covered by the dictum laid down by the Hon'ble Division Bench of this Court in the case of ***M.Kathirvel Vs.,***



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Inspector General of Registration, Department of Registration and Others,

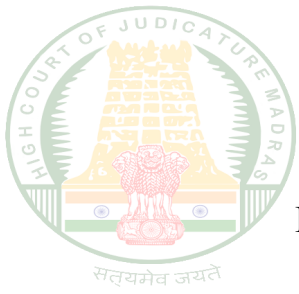
reported in 2024 SCC Online Mad 6154, wherein, Section 77-A of the

Registration Act, 1908 was declared as illegal and the same was struck down.

For better appreciation, the relevant portion of the judgment is extracted hereunder:

“167. This Court has already held that Section 77-A is unconstitutional and liable to be struck down. We have also held that Section 77-A is prospective in operation. Therefore, we are not going into Issues [E], [F] and [G] and it is not necessary for us to go into those issues”

3. In view of the ratio laid down by the Hon'ble Division Bench of this Court in the case of ***M.Kathirvel Vs., Inspector General of Registration, Department of Registration and Others, reported in 2024 SCC Online Mad 6154***, orders passed by the second respondent in Na.Ka.No.21457/E2/2022, dated 12.07.2023 and No.19836/E2/2022, dated 29.05.2023 under Section 77-A of the Registration Act, 1908 are liable to be quashed. Accordingly, the said orders are quashed.



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In the result, these writ petitions are allowed. No costs.

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

1. Inspector General of Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600 028.
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KRISHNAN RAMASAMY,J.

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