



W.P.No.33774 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.09.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.33774 of 2025

1. P.L.Murugaiah
2. Mrs.Nagalakshmi

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Petitioners

Vs.

1. The Deputy Inspector General
Of Registration,
Cuddalore.

2.The District Registrar
(Administration),
Cuddalore District,
Cuddalore 607 001.

3.The Sub-Registrar,
Vadalur,
Cuddalore District.

4.Mrs.M.Vasuki
5.Mr.B.Manikandan
6.Mrs.Rajakumari
7.Mrs.B.Pavunammal

...

Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the proceedings of the 1st respondent dated 28.04.2023 made in Na.Ka.No 417 /२०२३/ 2023 and the order of the 2nd respondent made in Na.Ka.No. 4933/ B-4/ 2022 dated 28.11.2022 and quash the same consequently direct the 3rd respondent to remove the entries made in the records of the office of the Sub Registrar, Vadalur pursuant to the orders of the 2nd respondent.

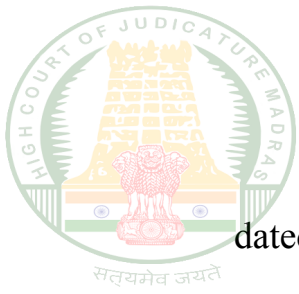
For Petitioner : Mr.S.Thirumavalavan

For Respondents : Mr.P.Harish (R1 to R3)
Government Advocate

ORDER

Mr.P.Harish, learned Government Advocate takes notice on behalf of the respondents 1 to 3. With consent, the main writ petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed challenging the proceedings of the 1st respondent dated 28.04.2023 made in Na.Ka.No 417 /२०२३/ 2023 and the order of the 2nd respondent made in Na.Ka.No. 4933/ B-4/ 2022

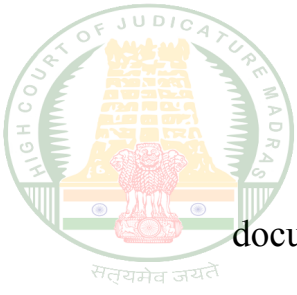


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dated 28.11.2022 and quash the same consequently direct the 3rd respondent to remove the entries made in the records of the office of the Sub Registrar, Vadalur pursuant to the orders of the 2nd respondent.

2. The learned counsel appearing for the petitioner would submit that the petitioners purchased the subject lands from one Vasuki , the 4th respondent herein vide Sale Deeds dated 25.07.2013 in Document Nos.2211 of 2013 and 2210 of 2013 respectively. Thereafter, the vendor's sister, made an objection with respect to title over the said properties by filing an application before the 2nd respondent for execution of sale. Even prior to that, the respondents 5 and 6 who are the mother and brother of the 6th respondent filed a suit seeking partition against the 6th respondent and the same was decreed in their favour, as against which the Appeal was filed by the 6th respondent and the same is pending. While so, the 2nd respondent passed the order dated 28.11.2022, directing the 3rd respondent to cancel the registration of the sale deeds by which the petitioners purchased the property from the 4th respondent by observing the sale deeds as 'முறையற்ற ஆவணம் ' (improper



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document). As against which, the petitioner filed an appeal before the 1st respondent seeking to set aside the order of the 2nd respondent. But the said authority without setting aside the order of the 1st respondent vide order dated 25.01.2025 directed the 2nd respondent to receive a petition under Section 77-A of the Act and consider it. Being aggrieved by the order of the 2nd respondent dated 28.11.2022 as well as the order of the 1st respondent dated 25.01.2023 the present writ petition has been filed by the petitioner.

3. The learned counsel 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 W.P.No.10291 of 2022, etc., has struck down the Sections 77-A and 77-B of the Registration Act holding that the same are 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 2nd respondent as well as the consequent order passed by the 1st respondent is liable to be quashed. Therefore, they he prays to quash the same and also



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prays for a direction to the 3rd respondent to remove the entries made in the records pursuant to the order of the 2nd respondent.

4. The learned Government Advocate appearing for the respondents 1 to 3, also accepted the contention made by the learned counsel for the petitioner and prayed for appropriate orders.

5. 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 2nd respondent and the consequent order passed by the 1st respondent is liable to be quashed. Accordingly, the orders impugned herein are set aside. The 3rd respondent/Sub Register is directed to record in the remarks column of its record as follows:

'The order of the District Registrar (Administration), Cuddalore, District, Cuddalore dated 28.11.2022 is set aside and the entry made as 'முறையற்ற ஆவணம் (improper document) is nullified.



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With the above directions, this Writ Petition is disposed of. No costs. Consequently, WMP.No.37905 of 2025 is closed. WMP.No.37903 of 2025 filed to permit the petitioners to jointly file single writ petition as against the order of the 1st respondent dated 28.04.2023 as well as the 2nd respondent dated 28.11.2022 is ordered.

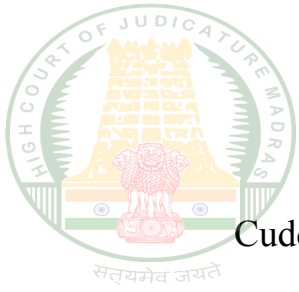
11.09.2025

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

To

1. The Deputy Inspector General
Of Registration,

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Cuddalore.

2.The District Registrar
(Administration),
Cuddalore District,
Cuddalore 607 001.

3.The Sub-Registrar,
Vadalur,
Cuddalore District.

KRISHNAN RAMASAMY.J.,
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