



W.P.No.33391 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

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CORAM :
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

Writ Petition No.33391 of 2025

S.Ramathal

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Deputy Inspector General of Registration Office,
6/1, Grd Road, Red Fields,
Coimbatore – 641 018.

2.The District Registrar (Admin),
The District Registrar Office,
102, State Bank Road,
District Collector Office Campus,
Coimbatore – 641 018.

3.The Sub Registrar,
NH 67, Mahadevapuram,
Mettupalayam,
Coimbatore – 641 301.

4.Nanjammal

5.Janakiammal

6.Saraswathi

7.Nagammal

8.N.Desiappan

9.D.Rajkamal

... Respondents



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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.1512/E2/2022 passed by the first respondent dated 07.12.2022 and quash the same.

For Petitioner : Mr.E.M.Sajith

For Respondents 1 to 3 : Mr.Abishek Murthy,
Government Advocate

ORDER

Challenge has been made against the order in Na.Ka.No.1512/E2/2022, dated 07.12.2022, passed by the first 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 matter of this writ petition is 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., 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



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is extracted hereunder:

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“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***, order passed by the first respondent in Na.Ka.No.1512/E2/2022, dated 07.12.2022 under Section 77-A of the Registration Act, 1908 is liable to be quashed. Accordingly, the said order is quashed.

In the result, this writ petition is allowed. No costs.

09.09.2025

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

KRISHNAN RAMASAMY,J.



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To:

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