



WEB COPY



W.P.Nos.1894 & 1898 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.Nos.1894 & 1898 of 2025

1.P.Sengodan
2.A.S.Angammal
3.A.S.Prabhu

... Petitioners in both petitions

Vs.

1. The Sub Registrar
Namakkal District, Namakkal

2. A.S. Suganthi @ V. Sukanthi

... Respondents in both petitions

Common Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari,

calling for the records relating to the impugned order passed by the
1st respondent in Na.Ka.No.3969/Aa2/2023 dated 19.6.2023 quash the
same is illegal, incompetent and ultravires

calling for the records relating to the impugned order passed by the
1st respondent in Na.Ka.No.3979/Aa2/2023 dated 22.6.2023 quash the
same is illegal, incompetent and ultravires



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For Petitioner
in both petitions : Mr.T.Gowthaman, Sr.counsel,
for Mr.T.N.Rangesh Kanna

For Respondent
in both petitions : Mr.Abishek Murthy, GA for R1
Mr.K.A.Ravindran,
for Mr.M.Varadhan for R2

COMMON ORDER

These writ petitions have been filed challenging the impugned proceedings of the 1st respondent dated 19.06.2023 & 22.06.2023.

2. The learned counsel for the petitioners would submit that the impugned orders dated 19.06.2023 & 22.06.2023 were passed by the 1st respondent by invoking the powers available under Section 77A of the Registration Act, 1908. Subsequently, the validity of Section 77A of the Registration Act, 1908, was struck down by the Hon'ble Division of this Court vide order dated 02.08.2024 in W.P.No.10291 of 2022. In such case, he would submit that the two impugned orders, which were passed under Section 77A, are liable to be set aside. Hence, he requests this Court to pass appropriate orders.



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3. The learned Government Advocate appearing for the Official respondents had fairly admitted that in view of the aforementioned order dated 02.08.2024 passed by the Hon'ble Division Bench of this Court in in W.P.No.10291 of 2022, the impugned orders passed, under Section 77A, are liable to be set aside.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the Official respondents and also perused the materials available on record.

5. In the case on hand, admittedly, the impugned orders dated 19.06.2023 & 22.06.2023 were passed by the 1st respondent by invoking the powers available under Section 77A of the Registration Act, 1908.

6. Further, there is no dispute on the aspect that the validity of Section 77A of the Registration Act, 1908, was struck down by the Hon'ble Division of this Court vide order dated 02.08.2024 in W.P.No.10291 of 2022. When such being the case, obviously, the impugned orders, which were passed under Section 77A of the



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Registration Act, 1908, are liable to be set aside. Accordingly, the impugned orders dated 19.06.2023 & 22.06.2023 are set aside.

7. In the result, these writ petitions are allowed. No cost.

13.11.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

nsa

To

The Sub Registrar
Namakkal District, Namakkal



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KRISHNAN RAMASAMY.J.,

nsa

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