



W.P.No.41923 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 06.11.2025

CORAM

The HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.41923 of 2025

and

WMP.No.46961 of 2025

1. S.Palraj Kumar
2. Mrs.Archana

...

Petitioners

Vs.

1. The Collector Of Villupuram
District,
Collectorate Office,
Villupuram.
- 2.The Revenue Divisional Officer,
Villupuram,
Villupuram District.
- 3.The Tahsildar,
Gingee Taluk, Gingee,
Gingee Taluk,
Villupuram District.
- 4.The District Registrar,
Registration Department,
Villupuram, Villupuram District.



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5.The Sub Registrar,
Registration Department,
Gingee-604 206,
Gingee Taluk,
Villupuram District.

6.P.Gopalswamy

7.Girija

8.Muniammal

9.Kirubavathy

10.G.Saravanan

11.Manirathinam

12.Anandhi

13.Dhanasekaran

14.Manoharan

15.Vasudevan

16.Thenmozhi

17.Munusami

18.Loganathan

19.Chandru

20.Valli

21.Chandraprakash

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22.Vasuki

23.The President,
Konai Village Panchayat,
Konai Village, Gingee Taluk,
Villupuram District.

24.The Block Development Officer,
Konai Village Panchayat,
Konai Village, Gingee Taluk,
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Declaration directing the respondents 4 and 5 to declare the Sale Deed dated 15.05.2025, registered as Doc. No.2063 of 2025 executed by the respondents 6 to 9 in favour of the 10th respondent and the Sale Deed dated 15.05.2025, registered as Doc. No.2063, Sale Deed dated 16.05.2025, registered as Doc. Nos.2069 to 2071 Sale Deed dated 21.05.2025, registered as Doc. Nos. 2136 to 2138 and Sale Deed dated 23.05.2025, registered as Doc. Nos.2180 to 2183 executed by the 10th Respondent in favour of the Respondents 11 to 22 as detailed below:



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<i>Sl.</i>	<i>Date</i>	<i>Doc.No.</i>	<i>Sold by</i>	<i>Sold to</i>	<i>A.C.</i>	<i>Situate at</i>
1.	15.05.2025	2063	Gopalasamy and others	Saravanan	0.03	Konai Village Gingee Taluk Villupuram District
2.	16.05.2025	2069	Saravanan	S.Manirathinam	0.03	
3.	16.05.2025	2070	Saravanan	Tmt.Valli	0.03	
4.	16.05.2025	2071	Saravanan	Tmt.Ananthi	0.03	
5.	21.05.2025	2136	Saravanan	K.Vasuki	0.03 1/2	
6.	21.05.2025	2137	Saravanan	K.Manoharan	0.03	
7.	21.05.2025	2138	Saravanan	K.Vasudevan	0.03 1/2	
8.	23.05.2025	2180	Saravanan	Tmt.Thenmozhi	0.03	
9.	23.05.2025	2181	Saravanan	Munusamy	0.03	
10.	23.05.2025	2182	Saravanan	Loganathan	0.03 1/2	
11.	23.05.2025	2183	Saravanan	P.Chandru	0.03	

as null and void.

For Petitioners : Mr.T.Dhanasekaran

For Respondents : Mr.Abishek Murthy (R1 to R5)
Government Advocate
Mr.V.Venkata Seshaiya
Government Advocate (R24)

ORDER

This Writ Petition has been filed seeking direction to the respondents 4 and 5 to declare the Sale Deed dated 15.05.2025, registered as Doc. No.2063 of 2025 executed by the respondents 6 to 9 in favour of the 10th



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respondent and the Sale Deed dated 15.05.2025 registered as Doc. No.2063, Sale Deed dated 16.05.2025 registered as Doc. Nos.2069 to 2071, Sale Deeds dated 21.05.2025 registered as Doc. Nos. 2136 to 2138 and Sale deed dated 23.05.2025 registered as Doc. Nos.2180 to 2183 executed by the 10th respondent in favour of the respondents 11 to 22 as null and void.

2. The learned counsel for the petitioners would submit that the 2nd petitioner is the wife of the 1st petitioner and she is entitled to 21 cents in the subject properties. While so, the respondents 6 to 9 fraudulently sold the share of the 2nd petitioner with respect to subject properties, along with their shares to the 10th respondent, who converted the same as housing plots, without obtaining the layout approval from the concerned Director of Town & Country Planning Department (D.T.C.P.) and conveyed the housing plots to the Respondents 11 to 22. Further, he would submit that the 5th Respondent-Registering Authority without following the mandates of Section 22 A of the Tamil Nadu Registration Act, 1908 (in short 'the Act') has registered the Sale Deed executed by the respondents 6 to 9 as well as the Sale Deeds executed by the 10th Respondent. In this regard, the 2nd



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petitioner submitted a representation dated 27.05.2025 to the Respondents 4 and 5 to enquire into the matter. But no action has been taken on the same till date. Hence, the petitioner has come forward with this writ petition seeking for the aforesaid relief.

3. Per contra, the learned Government Advocate appearing for the Respondents 1 to 5 would submit that the Division Bench of this Court in the case of *M.Kathirvel Vs. The Inspector General of Registration Department and others* reported 2024 (4) CTC 769, has struck down the Sections 77-A and 68(2) of the Act and relegated the parties to the Civil Court and in view of the same the respondents 4 and 5 has no power to declare the aforesaid Sale Deeds as null and void. That apart, in the present case, the claim of the petitioners with respect to 21 cents of the subject properties were already sold coupled with the fact that the dispute is between the petitioners and the private respondents with regard to the right over the subject properties and therefore the petitioners can very well seek their remedy before the Civil Court. Hence, he prays for appropriate orders.



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WEB COPY 4. Heard both sides. Perused the records.

5. Admittedly, the dispute is between the petitioners and the private respondents with respect to the title over the subject properties. As rightly contended by the learned Government Advocate appearing for the respondents 1 to 5, the respondents 4 and 5 has no power to declare the aforesaid Sale Deeds as null and void, in view of the decision of the Division Bench of this Court in the case of ***M.Kathirvel Vs. The Inspector General of Registration Department and others*** reported in **2024 (4) CTC 769**, by which the Division Bench of this Court has struck down the Sections 77-A and 68(2) of the Registration Act. That apart, the petitioners claim that the share of the 2nd petitioner with respect to the subject properties to an extent of 21 cents was fraudulently sold by the respondents 6 to 9 along with their shares to the 10th respondent who intturn sold it to the respondents 11 to 22. Therefore, it appears that the dispute is between the petitioners and the private respondents with regard to the right over the subject properties. Such being the case, the right course available to the



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petitioners is to agitate before the Civil Court.

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6. In view of the aforesaid position, the relief sought for by the petitioners cannot be granted. Therefore, this Writ Petition is liable to be dismissed, by granting liberty to the petitioners to agitate before the Civil Court, if so desired. Accordingly, the same is dismissed. No costs.

7. WMP.No.46961 of 2025 filed to permit the petitioners to file single writ petition is ordered subject to payment of separate Court Fee.

06.11.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking Order : Yes / No

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Note: Issue order copy only after ensuring the payment of Court Fee as ordered by this Court.



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To

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KRISHNAN RAMASAMY, J.

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