



W.P.No.45981 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.45981 of 2025

G.Sureshababu

... Petitioner

Vs.

1.The District Registrar (Administration),
Kallakurichi Registration District,
Kallakurichi – 606 202.

2.The Sub Registrar,
Vadakkananthol Sub Registrar Office,
Chinnasalem Taluk,
Kallakurichi District – 606 207.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of Writ of Mandamus directing the first respondent to consider the complaint of the petitioner dated 24.09.2025 and take necessary action as per Section 83 of the Registration Act.

For Petitioner : Mr.K.Magesh

For Respondents 1 & 2 : Mr.R.Sasikumar,
Government Advocate



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ORDER

This writ petition has been filed to direct the first respondent to consider the complaint of the petitioner dated 24.09.2025 and take necessary action as per Section 83 of the Registration Act.

2. Mr.R.Sasikumar, learned Government Advocate takes notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

3. Learned counsel for the petitioner submitted that the petitioner has lodged a complaint dated 24.09.2025 before the first respondent, as per Section 68(3) of the Registration Act for execution of forged documents without any valid title deeds by Aravindan, Nalini and Chandramani and take necessary action, as per Section 83 of the Registration Act for cancelling the sale deed dated 08.10.2024 and further criminal action against the above said persons. Since the respondents have not taken any action, the petitioner has come forward with the present writ petition.



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4. Learned Government Advocate appearing for the respondents

would submit that in the present case, as far as the actions to be taken under Section 83 of the Registration Act, 1908 is concerned, in the event any commission of criminal acts come to the knowledge of the District Registrar or Sub Registrar, at the time of presentation of the document, they would take necessary criminal action by giving police complaint. In the event, the commission of criminal offences come to the knowledge of the affected person, there is no bar for the affected person to file a similar complaint before the police directly and in which case, the police is supposed to take necessary actions in accordance with law. But, in the present case, the person who made a complaint before the first respondent is an affected person and he empowers to give complaint before the police, however, without giving complaint, he made a complaint before the District Registrar to take necessary criminal action against the persons, who have filed the forged documents.

5. Heard the learned counsel on either side and perused the materials available on record.

6. In the present case, according to the petitioner, the documents were forged one and the sale deed was executed on 08.10.2024. As

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rightly contended by the learned Government Advocate appearing for the respondents, in the event the commission of offences come to the knowledge of the Sub Registrar or District Registrar at the time of presentation of documents, they would take necessary actions under Section 83 of the Registration Act, 1908. Once the commission of offences comes to the knowledge of the affected person, he is supposed to file a complaint before the Police, otherwise, it is a cumbersome exercise to the District Registrar or Sub Registrar to take the complaint on record and get an approval and thereafter approach the police by virtue of the complaint. In order to avoid the delay, it would be appropriate to direct the complainant itself to make a complaint before the police and there is no bar for the private complainant to file a complaint before the police, in the event there is no violation of the provisions of the Registration Act, 1908.

7. This Court is of the view that, in the event, the commission of offences not come to the knowledge of the complainant and comes to the knowledge of the Sub Registrar or District Registrar, in which case, it is a bounden duty of the Sub Registrar or District Registrar to take appropriate action by invoking Section 82 & 83 of the Registration Act, 1908. In the event, the commission of offences come to the knowledge of



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the affected party, he himself can give a complaint to the police directly.

However, in the present case on hand, the offences of the third party had come to the knowledge of the petitioner. Hence, the right course available to the petitioner is to make a complaint directly to the police, instead of going and making a complaint before the Sub Registrar or District Registrar to avoid the unnecessary delay.

8. In view of the above forgoing reasons, this Court feels that it would be appropriate to direct the petitioner to make a complaint before the concerned police, who in turn is directed to take the same on record by filing F.I.R. and enquire the matter in accordance with law. In regard to commission of any offences on the part of Sub-Registrar, it is upto the District Registrar to take departmental action, if any *prima facie* case made out, for the purpose of initiating any departmental proceedings.

In the result, this writ petition stands disposed of. No costs.

27.11.2025

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order



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KRISHNAN RAMASAMY, J.

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To

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