



W.P(MD)No.2046 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.2046 of 2024

and

WMP(MD)No.2062 of 2024

Palaneeswari

.. Petitioners

Vs.

1. The District Registrar,
Office of the District Registrar,
Theni District
2. The Sub Registrar,
Office of the Sub Registrar,
Theni.
3. R.Murugesan
4. M.Senthil Kumar
5. Amutha
6. Jayalakshmi
7. Rajan Babu
8. The Tahsildar,
Office of the Bodinaikkanur Taluk Office,
Bodinaickanoor,
Theni District



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9. The Village Administrative Officer,
Boothi Puram Village,
Bodinaikkanur Taluk,
Theni District

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the 1st respondent in his proceedings in Na.Ka.No.8/E2/2024 dated 08.01.2024 and quash the same as illegal and unconstitutional and consequently directing the 8th respondent for conducting a detailed enquiry with regard to the issuance of the Legal Heirship Certificate in favour of the 3rd respondent.

For Petitioner : Mr.Varadharajan

For Respondents : Mr.D.Sasi Kumar
Addl. Government Pleader for R1, R2, R8 & R9

: Mr.K.Appadurai for R3 to R7

ORDER

The present writ petition is filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 08.01.2024 and consequently, to direct the 8th respondent to conduct a detailed enquiry with regard to issuance of the legal heirship certificate in favour of the 3rd respondent.

2.Through the impugned order, the official respondents have denied to take



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the petitioner's complaint dated 02.01.2024 stating that the issue of Section 77 A is pending before the Hon'ble Larger Bench, hence, the petitioner's complaint cannot be taken for further hearing. Aggrieved over the same, the present writ petition is filed.

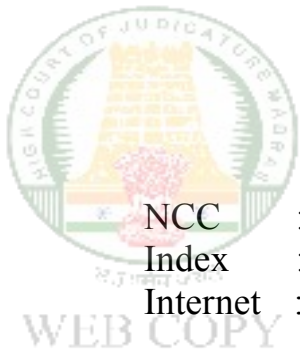
3.In the Hon'ble Larger Bench, the issue is settled stating that the dispute regarding title cannot be decided by the Registrar under Section 77A. Further, the Hon'ble Full Bench has stuck down the Section 77 A itself.

4.Therefore, the impugned order declining to entertain the petitioner's complaint under Section 77A is legally valid.

5.Therefore, this Court is not inclined to set aside the impugned order since the same is valid as stated supra. As far as the cancellation of sale deed is concerned, the petitioner is at liberty to approach the competent Civil Court.

6.With the above said observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.08.2025



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NCC : Yes / No

Index : Yes / No

Internet : Yes

Tmg

To

1. The District Registrar,
O/o.The District Registrar,
Theni District
2. The Sub Registrar,
O/o.The Sub Registrar,
Theni.
- 3.The Tahsildar,
O/o.The Bodinaikkanur Taluk Office,
Bodinaickanoor,
Theni District
4. The Village Administrative Officer,
Boothi Puram Village,
Bodinaikkanur Taluk,
Theni District



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.2046 of 2024
and
WMP(MD)No.2062 of 2024**

DATED : 08.08.2025