



W.P.(MD)No.2821 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.2821 of 2025

Panchanathan

... Petitioner

/Vs./

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600028.

2. The District Registrar,
District Registrar Office,
Pudukkottai,
Pudukkottai District.

3. The Sub Inspector of Police,
Alangudi Police Station,
Alangudi,
Pudukkottai District.

4. The Sub Registrar, Alangudi,
Pudukkottai District.

5. Rajagopalan

6. Rajendran

... Respondents



W.P.(MD)No.2821 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 herein to conduct proper enquiry and take necessary actions for prosecution of 5 and 6 under section 82 and 83 of Registration Act pursuant to the complaints made by the petitioner dated 17.01.2025 as expedite as possible.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.D.Sadiq Raja,

Addl. Govt. Pleader (R1, R2 & R4)

Ms.M.Aasha,

Govt. Advocate (Crl. Side) (R3)

ORDER

This writ petition has been filed seeking for a direction to the respondents 1 and 2 to conduct enquiry and to take necessary action against the respondents 5 and 6 under Sections 82 and 83 of the Registration Act, 1908, based on the complaint dated 17.01.2025.

2. Considering the nature of the order going to be passed in this writ petition, notice to the private respondents is dispensed with. Heard



W.P.(MD)No.2821 of 2025

the learned counsel on either side and perused the materials placed before this Court.

3. The property comprised in S.No.260/8C admeasuring 1.21.5 hectares situated at Venavalkudi Village, Alangudi Taluka, Pudukkottai District, is owned by the fifth respondent. In order to purchase the subject property, the petitioner had entered into an agreement, after payment of substantial sale consideration as advance on 15.04.2022. On the date of the agreement, the original parent documents of the title deeds were handed over to the petitioner. However, the petitioner is not in possession of the same.

4. While being so, the fifth respondent had executed the sale deed in favour of the sixth respondent, after obtaining non traceable certificate from the police personnel as if he lost the parent title deeds. Therefore, the petitioner submitted a representation to take appropriate action as against the registration authorities as well as the respondents 5 and 6 herein.



W.P.(MD)No.2821 of 2025

WEB COPY

5. The issue of pendency of agreement for sale is no more *res integra*. Even the agreement is in force, the sale deed can be executed in respect of the very same property. Further, without even production of the non traceable certificate of the original title deed, the registering authority can very well register the document. Therefore, the petitioner ought to have filed a suit as against the respondents 5 and 6 in the manner known to law, if he is so advised.

6. In view of the above, the relief sought for by the petitioner cannot be considered. This writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition is dismissed. No costs.

31.01.2025

Index : Yes / No
NCC : Yes / No
Sm



W.P.(MD)No.2821 of 2025

WEB COPY

TO:-

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600028.
2. The District Registrar,
District Registrar Office,
Pudukkottai,
Pudukkottai District.
3. The Sub Inspector of Police,
Alangudi Police Station,
Alangudi,
Pudukkottai District.
4. The Sub Registrar, Alangudi,
Pudukkottai District.



WEB COPY



W.P.(MD)No.2821 of 2025

G.K.ILANTHIRAIYAN, J.

Sm

Order made in
W.P.(MD)No.2821 of 2025

Dated:
31.01.2025