



W.P.(MD) No.10677 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.10677 of 2025

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Petitioner

Vs

1 The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 028.

2 The Deputy Inspector General of Registration,
O/o the Deputy Inspector General of Registration,
Ramanathapuram Division,
Ramanathapuram District.

3 The District Registrar (Administration),
O/o. District Registrar,
Karaikudi,
Sivagangai District.

4 The Sub Registrar,
Devakottai SRO,
Sivagangai District.

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Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India,
praying for issuance of a writ of mandamus, directing the Respondent No.3



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and 4 to remove entries made in document remarks mentioned as invalid document entered in the Encumbrance certificate in respect of sale deed in document no.2046/2004 in the Survey Nos.17/1A, 17/1B, 17/5A, 17/5B, 17/5C, 17/5D, 27/3A1, 27/3B and 27/3C.

For Petitioner : Mr.M.Mahaboob Fazil

For Respondents : Mr.P.T.Thiraviyam,
Govt. Advocate.

ORDER

The petitioner seeks for the following relief :

"Writ of mandamus, directing the Respondent No.3 and 4 to remove entries made in document remarks mentioned as invalid document entered in the Encumbrance certificate in respect of sale deed in document no. 2046/2004 in the Survey Nos.17/1A, 17/1B, 17/5A, 17/5B, 17/5C, 17/5D, 27/3A1, 27/3B and 27/3C."

2. The petitioner suffered an order in Na.Ka.No.3034/Aa1/2021, dated 11.07.2022, at the hands of the respondents. The said order was passed, invoking Section 77A of the Registration Act,1908. The petitioner challenged the same by way of a writ petition in W.P.(MD) No.16533 of 2023. The said writ petition was allowed on 02.09.2024. As the order, cancelling the



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document had been set aside, the petitioner gave a representation to the third respondent on 04.04.2025, seeking removal of the said entry made pursuant to the order, dated 11.07.2022, from the books maintained by the fourth respondent. As the same was not complied with, the petitioner is before this Court.

3. I have heard Mr.Mahaboob Fazil for the petitioner and Mr.P.T.Thiraviyam for the respondents also carefully gone through the records.

4. The Registration Act,1908, does not enable the authorities, created under the Act, to remove entries made therein. However, as the order, on the basis of which the entry had been made, has been quashed by this Court, the interest of the petitioner will stand protected, if the respondents make an entry in the register that the order, dated 11.07.2022, has been quashed by this Court in W.P.(MD) No.16533 of 2023, on 02.09.2024.

5. Mr.Thiraviyam, on instructions, states that the respondents have no objection for the said course of action.

6. Therefore, this Writ Petition is ordered on the following terms :

There shall be a direction to the respondents to register in their records that their order in Na.Ka.No.3034/Aa1/2021, dated 11.07.2022, has been quashed by this Court in W.P.(MD) No.16533 of 2023, on 02.09.2024.



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7. No costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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V.LAKSHMINARAYANAN, J.

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