



W.P(MD)No.10900 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.10900 of 2024

and

W.M.P(MD)No.9709 & 9711 of 2024

P.Senthilkumar

...Petitioner

Vs.

1. The District Registrar,
Thanjavur,
Thanjavur District.

2. S.Baskaran

3. S.Pradeepa

4. S.Sivakumar

5. Varathan

(Ex Branch Manager Indian Bank Perambalur),
Agm Indian Bank, Corporate Office,
No. 254-260, Avvai Sanmugam Salai,
Puthupettai,
Kopalpuram,
Chennai.

6. The Branch Manager Indian Bank,
No. 22/47, Sanjeevirayan Koil Street,
Perambalur-621 212.

...Respondents

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records of the 1st respondent proceeding in Mu.Mu.No.2605/A4/2023 dated 11.10.2023 regarding canceled the registered document No.2277/2015 on the file of Sub Registrar



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Office, Vallam Thanjavur District under Section 77(A) of Registration Act, and to quash the same.

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For Petitioner : Mr.A.Senthil Kumar
For Respondents : Mr.S.Saji Bino,
Special Government Pleader
For R1
Mr.R.Jenifer Bibin
For RR2 & 3
Mr.P.Aathimoolapandian
For R4
Mr.R.Pandivel
For R6

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned proceedings dated 11.10.2023 which was passed under Section 77(A) of the Registration Act by the 1st respondent.

2. The learned counsel for the petitioner would submit that the impugned order was passed based on the complaint preferred by the second respondent. The official respondents conducted an enquiry and hold it is a fraudulent document and consequently directed to cancel the sale deed. Since Section 77A is struck down as null and void, the impugned order passed without jurisdiction by the respondent becomes illegal.



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3. It is submitted by the learned counsel appearing for the respondents 2 to 4 that already the second respondent has filed a suit in O.S.No. 282 of 2023 on the file of the District Munsif Court, Thanjavur and it is pending. In that suit, the petitioner is also a party as third defendant and all the parties appeared herein are also arrayed as parties in the suit. Therefore, the parties shall adjudicate the issue before the civil Court and not before the authorities. The authorities shall adhere to the judgment that has to be passed in the suit. Hence, the impugned order is quashed. The suit in O.S.No.282 of 2023 shall be disposed of within a period of one year from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition stands allowed. No Costs. Consequently, connected miscellaneous petitions are closed.

29.08.2025

NCC : Yes / No

Internet : Yes

PJL

To

1. The District Munsif,
Thanjavur.

2. The District Registrar,
Thanjavur,
Thanjavur District.



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S.SRIMATHY, J.

PJL

ORDER MADE IN
W.P(MD)No.10900 of 2024
and
W.M.P(MD)No.9709 & 9711 of 2024

29.08.2025