

W.P(MD)No.13351 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13351 of 2024
and
WMP(MD)No.11799 of 2024

R.Prabakaran

... Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome,
Chennai – 28.

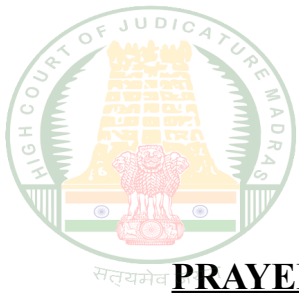
2.The Assistant Inspector General of Registration,
Department of Registration,
Joint Office of the Department of Registration Campus,
Rajakambeeram,
Thirumogur Road,
Madurai.

3. The District Registrar (Administration),
in the Capacity of Assistant Inspector General of Registration
(In the Campus of District Collector's Office),
Dindigul,
Dindigul District.

4. Kandhasamy

5. Amirtha Jothi

...Respondents



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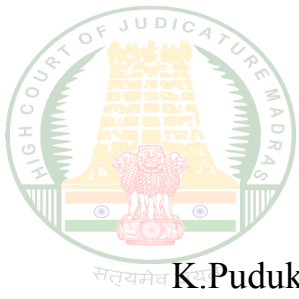
PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the impugned order as passed by the 3rd respondent made in Na.Ka.No.5598/Aa3/2021 dated 24.04.2023 with regard to rejection of non cancellation of the fake settlement deed as entered into between 4th and 5th respondents in relation to the property bearing patta No.101, Survey No.326/1, measuring to an extent of 3.36 acres situated at K.Pudukkottai Village, Dindigul West, Dindigul District and subsequently as confirmed by the 1st respondent as made in Letter No. 25186/U4/2023 dated 01.08.2023 and quash the same as illegal.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.S.Kameshwaran
Govt. Advocate for R1 to R3

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned order as passed by the 3rd respondent made in Na.Ka.No.5598/Aa3/2021 dated 24.04.2023 with regard to rejection of non cancellation of the fake settlement deed as entered into between 4th and 5th respondents in relation to the property bearing patta No. 101, Survey No.326/1, measuring to an extent of 3.36 acres situated at



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K.Pudukkottai Village, Dindigul West, Dindigul District and subsequently as confirmed by the 1st respondent as made in Letter No.25186/U4/2023 dated 01.08.2023.

2. The brief facts are that the petitioner's mother is the owner of the property. The fifth respondent is the petitioner's sister and the fourth respondent is the fifth respondent's husband. The fourth respondent being VAO has misused his official power and created patta in the name of the fifth respondent. Based on the same, the fifth respondent has executed a settlement deed. The petitioner submitted a complaint before the third respondent to cancel the settlement deed. Based on the complaint, the respondent has passed the impugned order stating that it amounts to determining the title between the parties.

3. The learned counsel for the petitioner submitted that it is not a pure title dispute but the fourth and fifth respondent have created forged documents. Therefore, he insisted to conduct an enquiry.



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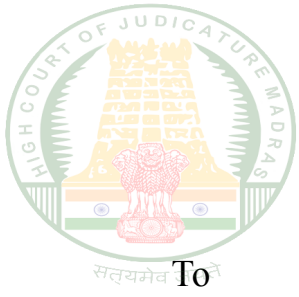
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4. This Court is of the considered view that to the limited extent the third respondent shall consider the petitioner's complaint since patta which stood in the name of the fifth respondent is cancelled by the revenue authorities. Further, the respondents may consider it to mark the documents as fraudulent document/forged document. Therefore, the third respondent is directed to conduct an enquiry under Section 83 of the Registration Act and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. If the outcome of the order is as against the fifth respondent, the said document may be marked as a fraudulent document. As far as the cancellation is concerned, the petitioner is at liberty to approach the appropriate civil Court if so advised.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

25.08.2025

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



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S.SRIMATHY, J.

PJL

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