



W.P(MD)No.14542 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.14542 of 2024

S.Visuvasam

.. Petitioner

Vs.

1. The District Registrar (Administration),
Dindigul District, Dindigul.

2. The Sub Registrar,
Sub Registrar Office,
Nagalnayakkanpatti,
Dindigul District.

3. Velankanni

4. Sesuraj

5. Sesuraj

6.Kennedy

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Ceritorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the 1st respondent in Na.Ka.No. 2853/Aa3/2024 dated 17.05.2024 and to quash the same as illegal consequently, to direct the 1st respondent to cancel the forged sale deed vide Doc.No. 4539/2023, dated 15.07.2023 on the file of the 2nd respondent.



W.P(MD)No.14542 of 2024

For Petitioner : Mr.V.Karuna
For Respondents : Mr.S.Saji Bino
Special Government Pleader for R1 and R2
Mr.C.Susi Kumar for R3 to R6

ORDER

The present writ petition is filed for issuance of a writ of Certiorarified Mandamus, to quash the impugned order dated 17.05.2024 and consequently, to direct the 1st respondent to cancel the forged sale deed in Doc.No.4539 of 2023 dated 15.07.2023 on the file of the 2nd respondent.

2.Through the impugned order, the official respondents have denied to take the petitioner's complaint dated 14.05.2024 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. However, the petitioner submitted



W.P(MD)No.14542 of 2024

that the petitioner had preferred a petition under Section 68(2) of Registration Act.

The Section 68(2) of Registration Act is extracted hereunder:

“Section 68(2) of the Registration Act, 1908, authorizes Registrars to issue orders to Sub-Registrars regarding acts, omissions, or the rectification of errors in books/offices. It is a supervisory, administrative power meant for clerical corrections, not for adjudicating titles or cancelling substantive registered documents, which is the jurisdiction of Civil Courts”

It is only superintending power. If there is any error or omission alone the Registrar has power to entertain the petition. The official respondents are empowered, if any criminal case is made out. If any criminal case is made out, appropriate proceedings may be initiated. But the official respondents are not having power to decide the title dispute between the parties. As far as the cancellation of the sale deed is concerned, the petitioner ought to approach the competent Civil Court to cancel the same.

5. Therefore, this Court is not inclined to set aside the impugned order since the same is valid as stated supra. However the official respondents are directed to consider the petitioner's case if any criminal case is made out appropriate proceedings may be initiated. As far as the cancellation of sale deed is concerned, the petitioner is at liberty to approach the competent Civil Court.



W.P(MD)No.14542 of 2024

WEB COPY

6. With the above said observations, the writ petition is disposed of. No costs.

08.08.2025

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

Tmg

To

1. The District Registrar (Administration),
Dindigul District, Dindigul.

2. The Sub Registrar,
Sub Registrar Office,
Nagalnayakkanpatti,
Dindigul District.



WEB COPY



W.P(MD)No.14542 of 2024

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.14542 of 2024**

DATED : 08.08.2025