



W.P(MD)No.17569 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17569 of 2025

and

W.M.P.(MD)No.13413 of 2025

RM.Somasundaram

...Petitioner

Vs.

1.The Sub-Registrar,
Karaikudi Joint II Sub-Registrar Office,
Sivagangai District.

2.Muthu Socrates

3.Karthick

4.Abbas

5.The Inspector of Police,
District Crime Branch - II,
Sivagangai District.

6.Somasundaram

...Respondents

(R5 and R6 are impleaded vide Court order dated 02.07.2025 in WMP(MD)No.13860 of 2025 in WP(MD)No.17569 of 2025)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records

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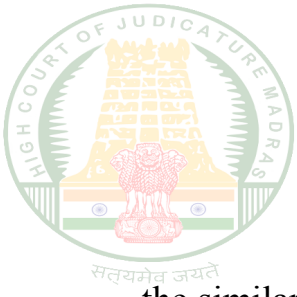
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of the impugned deeds executed by the respondents 2 to 4 in Doc. No. 3901/2024 dated 02.05.2024 (Power of Attorney) and Doc.No. 5436/2024 dated 20.06.2024 (Sale deed) and to set aside the same and consequently, to mark the appropriate entries of the documents as fraudulent, void and to direct the 1st respondent to register the document presented by the petitioner and to register and same within the time stipulated by this Court.

For Petitioner	: Mr.B.Saravanan Senior Counsel for RM.Arun Swaminathan
For R1	: Mr.S.Kameshwaran Government Advocate
For R2 and R3	: Mr.J.William Christopher
For R5	: M/s.M.Aasha Government Advocate (Criminal side)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned deeds executed by the respondents 2 to 4 in Doc. No. 3901/2024 dated 02.05.2024 (Power of Attorney) and Doc.No. 5436/2024 dated 20.06.2024 (Sale deed) and consequently, to mark the appropriate entries of the documents as fraudulent, void and to direct the 1st respondent to register the document presented by the petitioner and to register and same within the time stipulated by this Court.



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2.The contention of the petitioner is that the 6th respondent by using the similarity in the name has impersonated himself and has sold the properties by creating Power of Attorney in favor of 4th respondent and has sold the property to the respondents 2 and 3. The petitioner has already submitted an application before the official respondent and at the instance of the petitioner, a criminal case was also filed against the respondents 2 to 4 and 6 and others. The accused approached the District Court for bail application in which the respondents 2 and 3 have filed an affidavit before the District Court that the sale deed was executed by impersonation. Based on the same, now, the petitioner is seeking to consider the petitioner's plea to cancel the said sale deed and make appropriate entries in the register.

3. Therefore, this Court is directing the 1st respondent to issue notice to the petitioner and the respondents 2, 3, 4 and 6 and thereafter, conduct an enquiry under Section 83. After verifying all the documents, the 1st respondent shall pass appropriate orders. As far as the cancellation of the impugned sale deed is concerned, the 1st respondent shall take a call on it based on the available provisions. If it is an impersonated sale deed, the 1st respondent shall take appropriate action. Further, the petitioner is at liberty to file civil suit to cancel the sale deed, if so advised. If it is found to be a fraudulent document, entry to that effect shall be made in the light of the affidavit filed by the respondents 2 and 3.



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The said exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

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4.With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

30.07.2025

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

Tmg

To

1.The Sub-Registrar,
Karaikudi Joint II Sub-Registrar Office,
Sivagangai District.

2.The Inspector of Police,
District Crime Branch - II,
Sivagangai District.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.17569 of 2025**

DATED : 30.07.2025