



W.P(MD)No.19323 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19323 of 2025

R.Thiyagarajan

... Petitioner

Vs

1. The District Registrar(Administration),
The District Registrar Office,
Registration Department,
Sivagangai, Sivagangai District..

2. The Sub Registrar,
Paramakudi Sub Registrar Office,
Paramakudi,
Ramanathapuram District..

3. Boobalan

4. Mayandi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the Respondent No.1 in Moo.Mu.No. 3259/E1/2021 dated 19.04.2022 and quash the same as illegal, consequently, to direct the Respondent No.2 to remove Document Remarks relating to the Document No.4123 of 2009 registered on 25.09.2009 on the file of the Respondent No.2 in the encumbrance Certificate within the time stipulated by this Court.



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For Petitioner : Mr. A. Abdul Kabur
For Respondents : Mr. S. Kameshwaran
Government Advocate (For R1 & R2)
Mr. S. Sathiya Chidambaram (For R3)

ORDER

The present Writ Petition has been filed for the issuance of a *Writ of Certiorarified Mandamus*, to quash the impugned order passed by the Respondent No.1 in Moo.Mu.No.3259/E1/2021 dated 19.04.2022 and consequently, to direct the Respondent No.2 to remove Document Remarks relating to the Document No. 4123 of 2009 registered on 25.09.2009 on the file of the Respondent No.2 in the encumbrance Certificate within the time stipulated by this Court.

2.Through the impugned order, the official respondents have cancelled sale deed under Section 77 A.

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, this Court is inclined to set aside the impugned order, since the same is passed under Section 77A. Accordingly, the impugned order is quashed. The parties are at liberty to approach the competent Civil Court.



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5. With the above said observations, the writ petition is allowed. No costs.

08.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Tmg

To

1. The District Registrar(Administration),
The District Registrar Office,
Registration Department,
Sivagangai,
Sivagangai District..
2. The Sub Registrar,
Paramakudi Sub Registrar Office,
Paramakudi,
Ramanathapuram District..



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
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