



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No. 20343 of 2025

and

W.M.P(MD)Nos.15733 to 15735 of 2025

1.Ambika
2.Jayachithra

...Petitioners

Vs.

1. The Inspector General of Registration,
Santhome, Chennai.
2. The District Registrar (Administration),
Kumbakonam, Thanjavur District.
3. The Sub Registrar,
Swamimalai,
Thanjavur District.
4. T.Marimuthu

...Respondents

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned order passed by the 2nd respondent in his proceeding in Pa.Mu.No. 4862/Aa/2022 dated 11.08.2023 and quash the same as illegal and arbitrary and consequently, to direct the 3rd respondent herein to restore the entry of petitioner's sale deeds in Document No.2013/2019 dated 15.07.2019 and Document No.2023/2019 dated 15.07.2019 in the Encumbrance Certificate.

For Petitioner : M/s. G.Gomathisankar

For Respondents : Mr.S.Saji Bino,
Special Government Pleader for R1 to R3



Mr.An.Ramanathan For R4

ORDER

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The present Writ Petition has been filed for the issuance of a *Writ of Certiorarified Mandamus* to quash the impugned order passed by the 2nd respondent in his proceeding in Pa.Mu.No.4862/Aa/2022 dated 11.08.2023 and consequently, to direct the 3rd respondent herein to restore the entry of petitioners' sale deeds in Document No. 2013/2019 dated 15.07.2019 and Document No.2023/2019 dated 15.07.2019 in the Encumbrance Certificate.

2.Through the impugned order, the 2nd respondent has cancelled sale deeds 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.

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



Consequently, connected miscellaneous petitions are closed.

08.08.2025

NCC : Yes / No

Internet : Yes

Tmg

To:

1. The Inspector General of Registration,
Santhome, Chennai.
2. The District Registrar (Administration),
Kumbakonam, Thanjavur District.
3. The Sub Registrar,
Swamimalai,
Thanjavur District.



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S.SRIMATHY, J.

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ORDER MADE IN
W.P(MD)No. 20343 of 2025

DATED : 08.08.2025