



W.P(MD)No.27323 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27323 of 2025

and

W.M.P(MD)Nos.21229 & 21230 of 2025

M.Radhakrishnan

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Registration Department,
Tirunelveli District.

2.The District Registrar (Admin),
Palayamkottai,
Tirunelveli.

3.The Sub Registrar,
Kovilpatti.

4.Kalimuthu

... 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 relating to the impugned order of the first respondent in



W.P(MD)No.27323 of 2025

Na.Ka.No.2489/TP/2021 dated 27-12-2021 and quash the same and consequently direct the respondents 1 and 2 to remove the entry of the impugned order regarding Doc.No.2298/2018 dated 16/04/2018 in the remarks column of the encumbrance register.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R.1 to R.3

Mr.K.Jeyamohan
for R.4

ORDER

Heard both sides.

2.The scope of the writ petition is confined to testing the validity of the impugned proceedings passed by the authority under the Registration Act, 1908. The competing title claims of the parties are not gone into. The impugned order has been passed by invoking Circular No.41530/U1/2017 dated 09.11.2018 and Circular No.20217/U1/2021 dated 09.07.2021.



W.P(MD)No.27323 of 2025

WEB COPY

3. When the subsequently incorporated Section 77A of the Registration Act, 1908 itself has been struck down, the question of falling back on the earlier circulars does not arise at all. The registering authority has no jurisdiction to pronounce on the validity of any registered document. Likewise, he ought not to have given any direction to the registering authority not to register any further document. These matters will have to be agitated by the parties before the jurisdictional civil Court. In this view of the matter, the impugned order is set aside. The registering authority is directed to register the certified copy of this writ order so that it is duly entered in the encumbrance register.

4. This Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

17.11.2025

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



WEB COPY



W.P(MD)No.27323 of 2025

G.R.SWAMINATHAN, J.

MGA

To

- 1.The Deputy Inspector General of Registration,
Registration Department,
Tirunelveli District.
- 2.The District Registrar (Admin),
Palayamkottai,
Tirunelveli.
- 3.The Sub Registrar,
Kovilpatti.

W.P(MD)No.27323 of 2025

17.11.2025