



W.P(MD)No.33222 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.33222 of 2025

1.K.Balasundaram

2.K.Krishnamoorthy

3.M.Kamal

... Petitioners

Vs.

1.The District Registrar,
District Registrar Office,
Court Campus, Trichy.

2.The Sub Registrar-I,
Sub Registrar Office,
Prattiyur West,
Trichy.

3.P.Durai.

4.V.Lakshmanan

5.Senthilnathan

6.S.Saravanakumar

7.M.Anbalagan

8.D.Mohan

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents 1 and 2 to commence prosecution as stipulated under section 83 of The Registration Act, 1908 within a period that may be stipulated by this Court.

For Petitioners : Mr.N.Mohan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 & R2

ORDER

Heard the learned counsel for the petitioners and the learned Additional Government Pleader for R1 & R2.

2. The petitioners allege that some of the private respondents herein had committed rank forgery and impersonation and got the petition mentioned document registered.

3. I wanted to know from the petitioners' counsel as to when crime had taken place. He states that it took place in the year 1996. Atleast 30 years have gone by. At this distance of time, I cannot issue any direction. The petitioners can as well move the jurisdictional civil Court and get the declaratory relief. It



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is true that limitation for filing the suit of declaration will be three years. But it would count only from the date of knowledge. The petitioners claim that they came to know about the forgery only recently. Therefore, limitation ought not to be a bar. Since the petitioners allege that the document was forged and impersonation was committed, even the court fee need not be paid at ad-valorem basis. If the petitioners succeed in proving their case before the civil Court and obtain declaratory relief, the decree can be registered and that would more than address the concerns of the writ petitioners.

4. With the aforesaid liberty and observations, the writ petition is disposed of. No costs.

20.11.2025

Index : Yes / No
Internet : Yes/ No
rmi

To

1.The District Registrar,
District Registrar Office,
Court Campus, Trichy.

2.The Sub Registrar-I,
Sub Registrar Office,
Prattiyur West,
Trichy.



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G.R.SWAMINATHAN, J.

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