



W.P.(MD)No.34158 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2025**

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.34158 of 2025

K.R.Krishnamoorthy

...Petitioner

vs.

1.The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
O/o.District Registrar (South),
Madurai.

3.The Sub Registrar,
O/o.Sub Registrar,
Thirupparankundram,
Madurai.

4.Velraj

5.Kanchithalaivan

6.Jegadeesan

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents 1 to 3 to consider the petitioner's representation dated 21.11.2025 and to remove the entry of sale deed in Document No.232/2013 dated 24.01.2013 and Document No. 1291/2013 dated 28.03.2013 on the file of the 3rd respondent from their records within the time frame that may be stipulated by this Court.



W.P.(MD)No.34158 of 2025

1908. However, no enquiry has been conducted. Thus, the present Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that Section 77A of the Registration Act, 1908, has been struck of by virtue of the Division Bench order of this Court in *M Kathirvel v. Inspector General of Registration and Others* in W.P.No. 10291 of 2022 and batch, dated 02.08.2024. Therefore, the Authorities have no power to cancel the documents registered fraudulently. If the Authorities find that the respondents 4 to 6 have executed fabricated sale deeds and committed criminal offence, they can lodge a complaint after getting approval from the higher Authorities. In the instant case, since the petitioner is the affected party, he can very well lodge a complaint in terms of Sections 82 and 83 of the Registration Act, 1908. This aspect is upheld by the Apex Court in umpteen number of Judgments. Therefore, he would submit that the Writ Petition is liable to be dismissed.

4. The learned counsel appearing for the sixth respondent would contend that the sixth respondent was ultimately prejudiced, as he purchased the property unaware of the forgery of documents.



W.P.(MD)No.34158 of 2025

5. I have given due consideration to the submissions made on either sides.

6. In the present case, the grievance of the petitioner is that the respondents 4 to 6 executed fabricated sale deeds and the petitioner's representation dated 21.11.2025 to remove the entry of sale deeds in Document No.232/2013, dated 24.01.2013 and Document No.1291/2013, dated 28.03.2013 is yet to be considered. However, once the sale deed is registered, unless and otherwise, it is declared null and void and registration of sale deed is set aside by the competent Authority, the entries made in the records cannot be neutralised. Therefore, even after the petitioner's representation, the official respondents would be helpless to pass any orders.

7. As far as lodging of criminal complaint is concerned, if the Authorities learnt about the alleged fabrication of records on part of the respondents 4 to 6, without the petitioner having knowledge about the same, then the Authorities will take up the issue and lodge a criminal complaint. However, once the affected party, i.e., the petitioner herein, gains knowledge, he is entitled to file a complaint on the aspect of alleged fabrication of records. This aspect was also upheld by the Apex Court in number of Judgments.



W.P.(MD)No.34158 of 2025

WEB COPY

8. Such being the case, this Court directs the petitioner to file a complaint before the concerned Police Authorities with regard to the alleged fabrication of documents on the part of the respondents 4 to 6. With regard to the cancellation of sale deeds, it is up to the petitioner to challenge those sale deeds before the Civil Court.

9. Accordingly, this Writ Petition is disposed of. No costs.

02.12.2025

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

mbi

To

1.The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
O/o.District Registrar (South),
Madurai.

3.The Sub Registrar,
O/o.Sub Registrar,
Thirupparankundram,
Madurai.



WEB COPY



W.P.(MD)No.34158 of 2025

KRISHNAN RAMASAMY, J.

mbi

W.P.(MD)No.34158 of 2025

02.12.2025