



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 15-04-2026**

CORAM

**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**

**WP No. 13043 of 2026**

WEB COPY

1. N.Rangasamy  
S/o.Nachi 3/70 Abisekapuram  
Merkupadhi Anjal Avinashi Taluk  
Thiruppur 638103.

Petitioner(s)

Vs

1. The District Registrar  
Office of the District Registrar  
Neriperuchel, Tiruppur Tiruppur  
District.

2.The Sub-register  
Sub-Register Office Kunnathur 638103.

3.The Tahsildar  
Tahsildar Officer Office Avinashi Taluk,  
Tiruppur District.

4.Kaliyappa Gounder  
S/o.Periya Gounder 1/231  
Kollanthottam Muttikalaanpathi,  
Krishnapuram Merkkupadhi Post  
Avinashi, Tiruppur 638103.

5.Mohanamoorthy  
S/o.Kaliyappa Gounder 1/231  
Kollanthottam Muttikalaanpathi,  
Krishnapuram Merkkupadhi Post  
Avinashi, Tiruppur 638103.

6.Saravanakumar  
S/o.Kaliyappa Gounder 1/231



Kollanthottam Muttikalaanpathi,  
Krishnapuram Merkkupadhi Post  
Avinashi, Tiruppur 638103.

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Respondent(s)

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**PRAYER**

Directing the 1st respondent to conduct an enquiry against the respondents 4 to 6 on the basis of the written representation made by the petitioner on 12.01.2026 within a stipulated time as this Honble Court may deem fit and proper

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For Petitioner(s): M/s.R.Hemalatha

For Respondent(s): Mr.U.Baranidharan,SGP For R1  
to R3

R4 to R6 – notice dispensed with

**ORDER**

This writ petition has been filed to direct the first respondent to criminally prosecute the private respondents, namely the respondents 4 to 6, as per the provisions of Section 83 of the Registration Act.

2. This Court has consistently held that a party cannot compel the Registration Department to criminally prosecute an alleged offender as per the provisions of Section 82 of the Registration Act. The discretion to criminally prosecute an offender, who is said to have violated the provisions of Section 82 of the Registration Act, is exclusively vested with the Registration Department.



3. In the case on hand, the petitioner had given a representation to the first respondent to prosecute the alleged offenders. The case of the petitioner is that despite the said representation, the first respondent has not initiated any criminal prosecution as per the provisions of Section 83 of the Registration Act.

4. Mr. U. Baranidharan, learned Special Government Pleader accepts notice on behalf of R1 to R3. Since no adverse orders are passed against the respondents 4 to 6, notice to the respondents 4 to 6 is dispensed with by this Court.

5. Since the discretion to launch criminal prosecution is vested exclusively with the Registration Department, the petitioner cannot compel the Registration Department to launch criminal prosecution against the alleged offenders, namely the respondents 4 to 6. If the Registration Department does not launch criminal prosecution under Section 83 of the Registration Act, the petitioner's remedy is to either approach the civil court or to file an independent criminal complaint against the alleged offenders, namely the respondents 4 to 6, in the present case.

6. This Court had expressed the aforesaid view to the learned counsel for the petitioner, who has now requested this Court to grant liberty to the petitioner to either file a civil suit or grant liberty to the petitioner to launch an



independent criminal prosecution against the alleged offenders, namely the respondents 4 to 6, by launching a private criminal complaint against them.

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7. For the foregoing reasons, this writ petition is disposed of by granting liberty to the petitioner as prayed for.

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Index: Yes/No  
Speaking/Non-speaking order  
Internet: Yes  
Neutral Citation: Yes/No  
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To

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- 3.The Tahsildar  
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**ABDUL QUDDHOSE J.**

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