



W.P.No.10846 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.10846 of 2026

K.Govindharaj

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore,
Chennai.

2.The Deputy Inspector General of Registration,
Combined Registration Offices Complex,
Ammappettai,
Salem – 636 014.

3.The District Registrar (Admin),
Office of the District Registrar,
Dharmapuri,
Dharmapuri District – 636 701.

4.The Sub-Registrar,
Office of the Sub-Registrar,
Kadathur Post,
Pappireddipatti Taluk,
Dharmapuri District – 636 905.

5.S.Malarvizhi

6.S.Munirathinam

7.S.Kayalvizhi

8.S.Elango

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 4th respondent to lodge a complaint before the concerned Police Station against the 5 to 8 Respondents based on the petitioner's representation dated 23.01.2026 by vide Section 83 of the Registration Act, 1908 and dispose the same within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Arokia Mani Raj

For Respondents : Ms.K.Aswini Devi

Additional Government Pleader [R1 to R4]

Notice dispensed with [R5 to R8]

ORDER

This Writ Petition has been filed to direct the 4th respondent to launch criminal prosecution against the respondents 5 to 8 as per the provisions of Section 83 of the Registration Act, 1908 (in short 'the Act') based on the petitioner's representation dated 23.01.2026, within a time frame to be fixed by this Court.

2. Ms.K.Aswini Devi, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 to 4. Since no adverse orders are passed against the respondents 5 to 8 in this writ petition, notice to the respondents 5 to 8 is dispensed with by this Court.



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3. As per Section 82 read with Section 83 of the Act, the discretion is vested with the registering officer to launch prosecution in case false statements/delivering false copies of translations/false personation/abetment was made by any of the parties to the registered document. Being a discretion vested with the registering officer, the petitioner cannot compel the registering authority to launch prosecution as per provisions of Section 82 read with Section 83 of the Registration Act, 1908 against respondents 5 to 8, who according to the petitioner had committed violations, which falls within the purview of Section 82 read with Section 83 of the Act. Therefore, once a representation has been given by the petitioner on 23.01.2026 to respondents 1 to 4 requesting them to launch prosecution against respondents 5 to 8 as per provisions of Section 82 read with Section 83 of the Act, the petitioner cannot file a writ petition before this Court compelling the 4th respondent to launch prosecution against respondents 5 to 8.

4. Section 82 read with Section 83 of the Act does not stipulate that once a representation is given by any party directing the registering authority to launch prosecution, necessarily, the registering authority will have to launch prosecution against the alleged erring authorities as per



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provisions of Section 82 read with Section 83 of the Act. Being a discretion vested with the registering officer, the question of directing 4th respondent to further proceed with the petitioner's representation dated 23.01.2026, which is the subject matter of this writ petition does not arise. If 4th respondent has not launched prosecution under Section 82 read with Section 83 of the Act, the only remedy available to the petitioner is to set the criminal law in motion by lodging a criminal complaint against respondents 5 to 8 for the alleged violations committed under Section 82 of the Act.

5. For the foregoing reasons, this Court finds that this writ petition cannot be entertained by this Court. Accordingly, this Writ Petition is disposed of by granting liberty to the petitioner to set the criminal law in motion if so advised by lodging a criminal complaint before the concerned police against respondents 5 to 8 in case respondents 5 to 8 have committed violations as per provisions of Section 82 read with Section 83 of the Registration Act, 1908. No costs.

23.03.2026

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

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ABDUL QUDDHOSE, J.

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