



WEB COPY

WP No. 12259 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 12259 of 2026

G.Sumathi

..Petitioner(s)

Vs

1. The District Registrar
Registration Department
District Registrar office, Krishnagiri,
Krishngiri District
2. Sub Registrar
Sub Registrar office, Hosur,
krishnagiri District
3. Gokul Hills,
Partnership firm,
DJ Tower, Outer Ring road,
Near Professional Courier,
Hosur 635 109
4. S. Vijayakumar
5. M. Kannan

..Respondent(s)

Directing the Respondent herein to consider and pass orders on the petitioners representation dated 05.03.2026 in conducting an enquiry in order to commence prosecution as provided under section 83 of the Registration act 1908 within a stipulated time as fixed by this Honble Court.

For Petitioner(s): Mr.P.M.Jayachandran

For Respondent(s): Ms.Bakkiyalakshmi,
Govt Advocate for R1 and 2



Order

WEB COPY This writ petition has been filed to direct the official respondents to prosecute respondents 3 to 5 as per the provisions of Section 83 of the Registration Act, 1908, within the stipulated time fixed by this Court.

2.The petitioner's grievance in this writ petition is that respondents 3 to 5 have fraudulently registered documents with the Registration Department. Hence, according to the petitioner, respondents 3 to 5 ought to be prosecuted by the Registration Department by exercising their powers under Section 83 of the Registration Act, 1908.

3.Ms.Bakkiyalakshmi, learned Government Advocate accepts notice on behalf of respondents 1 and 2.

4.The discretion to exercise criminal prosecution against the offenders, who have violated Section 82 of the Registration Act, is vested with the Registration Department. A party cannot compel the Registration Department to criminally prosecute the offenders, who are alleged to have obtained fraudulent documents through registered documents. This Court has consistently held that a party cannot compel the Registration Department to prosecute the offenders by exercising their powers under Section 83 of the Registration Act, 1908 if the



Registration Department does not criminally prosecute the alleged offenders, who are said to have violated Section 82 of the Registration Act.

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5. Accordingly, this writ petition is disposed of by granting liberty to the petitioner to prosecute respondents 3 to 5, who are said to have fraudulently obtained registered documents in their favour, by lodging an independent private complaint with the appropriate jurisdictional police. No costs.

01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VGA

To

1. The District Registrar
Registration Department
District Registrar office, Krishnagiri,
Krishnagiri District
2. Sub Registrar
Sub Registrar office, Hosur,
krishnagiri District



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ABDUL QUDDHOSE J.

VGA

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