



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 14780 of 2024

S.Zainaba Beevi

..Petitioner(s)

Vs

1. The District Registrar,
Office Of District Registrar,
(Registration), Door No.4VXR Plus H79,
M.V. Street, Veera Raghva Nagar,
Thiruvallur District, Thiruvallur- 602 001.
2. The Commissioner of Police,
Office Of Police Commissionerate,
Avadi, Chennai-054.
3. The Sub Registrar Office Avadi,
Office Of Sub Registrar,
Door No.43FH+46Q, Anna Nagar Main Road,
Deena Dayalan Nagar, Pattabiram,
Chennai-600 054.
4. H.Sheik Abdul Khadar
5. S.Saravanan
6. S.Seetha Lakshmi
7. R.Hariharan
8. M.Krishnakumari

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent to conduct an enquiry and dispose the petitioner's detailed complaint/representation dated on 19.03.2024, for cancellation of fraudulent deeds in 1) Document No.1377/



2022, on the file of SRO Avadi dated on 01.02.2022, 2) Doc.No.6625/2022, on the file of SRO Avadi, Dated 20.04.2022, 3) Document No.6870/2022, on the file of SRO Avadi, Dated on 29.04.2022, 4) Doc No.15129/2022, on the file of SRO Avadi, Dated 15.09.2022.

For Petitioner(s) : Mr.T.Suresh

For Respondent(s) : Mr.P.Harish, GA for R1 & 3
Dr.C.E.Pratap, GA (Crl.side) for R2
R4 to 6-N/R/N
No appearance for R7 & 8

ORDER

This writ petition is filed to direct the 1st respondent to conduct an enquiry and dispose the petitioner's detailed complaint/representation dated on 19.03.2024, for cancellation of fraudulent deeds in 1) Document No.1377/2022, on the file of SRO Avadi dated on 01.02.2022, 2) Doc.No.6625/2022, on the file of SRO Avadi, Dated 20.04.2022, 3) Document No.6870/2022, on the file of SRO Avadi, Dated on 29.04.2022, 4) Doc No.15129/2022, on the file of SRO Avadi, Dated 15.09.2022.

2. Learned counsel for the petitioner would submit that the petitioner's husband had purchased a plot bearing No.135, S.No.69 to an extent of 3000 sq.ft. vide doc.No.1523 of 1985, dated 18.03.1985. After his demise, a fraudulent power of attorney was registered by using the petitioner's husband's personal particulars through impersonation. Based on which, the aforesaid



properties were sold to the third parties by way of sale deeds and all the documents were registered in the year 2022. When the petitioner intended to settle the said properties, she came to know about the fraudulent deeds. Therefore, she made an application before the respondents 1 and 2 dated 19.03.2024 and 29.04.2024 respectively, to conduct an enquiry and cancel all the fraudulent documents, which were registered fraudulently after the death of her husband i.e., after 06.07.1999. Hence, the petitioner has come forward with the present writ petition to direct the first respondent to conduct an enquiry and dispose the petitioner's complaint/representation dated 19.03.2024 for cancellation of fraudulent deeds.

3. Learned Government Advocate appearing for the respondents 1 and 3 would submit that when the petitioner came to know about the aforesaid offence, she made a criminal complaint before the second respondent on 29.02.2024 itself, based on which, a case was registered in Crime No.53 of 2024 against the private respondents. Since one complaint is sufficient to enquire the matter in terms of Section 82 of the Registration Act, 1908, there is no need for conducting another enquiry. As far as cancellation of documents is concerned, the respondents have no power to cancel the same, since Section 77 and 68(2) of the Registration Act was struck down by this Court.



4. Heard the learned counsel on either side and perused the materials available on record.

5. This Court finds force in the submission made by the learned Government Advocate appearing for the respondents 1 and 3. In regard to cancellation of fraudulent deeds, certainly, the respondents have no power to cancel the same, as Section 77 and 68(2) of the Registration Act, 1908 was struck down by this Court. In respect of conducting an enquiry under Section 82 of the Registration Act, the offence was committed in the year 2022 and upon knowing the same, the petitioner had registered a complaint before the second respondent on 29.02.2024, wherein a criminal case was also registered in Crime No.53 of 2024 and the investigation is pending. Therefore, there is no question of conducting another enquiry by the first respondent, by making another complaint, since one complaint is sufficient to conduct the enquiry under Section 82 of the Registration Act, 1908.

6. In view of the above, the second respondent is directed to proceed with the enquiry, which is pending and complete the same on merits and in accordance with law.



Accordingly, this writ petition stands disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM

To:

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KRISHNAN RAMASAMY, J.

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