



W.P.No.14376 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.14376 of 2026

Sri Hari P.S

... Petitioner

Vs.

1.The Inspector General of Registration, (IGR)
No.100, Santhom Highway,
Chennai – 600 028.

2.The District Registrar,
District Registrar (South),
AC 1 to 48, Todd Hunter Nagar, Fanpet,
Nandanam, Chennai – 600 015.

3.The Sub-Registrar,
Sub-Registrar Office, Neelankarai,
Chennai – 600 015.

4.L.Balaji

5.L.Gopi

6.Estate of P.S.Srinivasalu,
Rep. by Jayanthi

7.P.S.Sridhar

8.P.S.Vasudevan @ Vasu

9.S.Meena Selvaraj

10.V.Ellamuthu

11.V.Panjalingam

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12.T.Natarajan
13.Shashi Madhavan
14.S.Ponnusamy
15.S.Anbu
16.Rathinamala
17.M.Thavasi Devar
18.T.Maya Akka
19.M.Revathi
20.C.V.Pradeepkumar
21.P.Prema Pradeep
22.D.Jayashanker
23.S.Sathiyarayan Murthy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the fraudulent encumbrance entries made in the Encumbrance Certificate pertaining to Survey No.35/3, New Patta No.3490, Sub-Division 35/3A, Palavakkam Village and quash the same, consequently direct the respondents 1 and 3 to remove all such fraudulent entries forthwith and restore the correct entries in the Encumbrance Certificate.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.U.Baranidharan
Special Government Pleader [R1 to R3]
Notice dispensed with [R4 to R23]

ORDER

The petitioner seeks removal of the alleged fraudulent encumbrance entries made in the Encumbrance Certificate for the property morefully disclosed in the prayer to this writ petition.



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2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the respondents 1 to 3. Since no adverse order is passed against the respondents 4 to 23 in this writ petition, notice to the respondents 4 to 23 is dispensed with by this Court.

3. The petitioner relies upon the civil court judgments passed in his favour in support of the prayer sought for in this writ petition. Instead of presenting those civil court judgments for registration with the Registration Department, the petitioner has chosen to file this writ petition for removal of the alleged fraudulent encumbrance entries made in the Encumbrance Certificate for the subject property.

4. This Court is not expressing any opinion on the merits of the petitioner's contentions in this writ petition. However, there is no legal impediment for the registration department to register the civil court judgments, which according to the petitioner are passed in his favour. The law is now well settled that the registration department cannot cancel a registered document as it is only the civil court, which is having the said



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power as oral and documentary is required to be produced by the party, who is seeking cancellation of registered documents.

5. This Court expressed its view to the learned counsel for the petitioner, who would now submit that the petitioner is willing to present the civil court judgments passed in his favour for registration with the 3rd respondent and a direction may be issued to the 3rd respondent to take a decision as to whether the said civil court judgments can be registered or not, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Writ Petition is disposed of by directing the petitioner to present the civil court judgments passed in O.S.No.14044 of 2010, dated 22.01.2016 on the file of XVII Additional City Civil Court, Chennai and A.S.No.102 of 2020, dated 05.08.2025 on the file of this Court, for registration with the 3rd respondent, within a period of two (2) weeks from the date of receipt of a copy of this order. On presentation of the same within the stipulated time, the 3rd respondent, after hearing the objections of the respondents 4 to 23, shall take a final decision as to whether the aforesaid judgments can be registered or not,



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within a period of eight (8) weeks thereafter. In case, the 3rd respondent decides to refuse registration of the aforesaid judgments, 3rd respondent shall pass a speaking order as to why the aforesaid judgments presented by the petitioner cannot be registered. No costs.

20.04.2026

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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