



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 13992 of 2020

WEB COPY

K.Senthamarai
D/o. Kannu Goundar, Vinayakapuram
Village, Aadhiyur Post, Thirupathur
Division, Vellore District. Vellore

Petitioner(s)

Vs

1. The Additional Inspector General of
Registration
Office of Inspector General of
Registration, Chennai - 600
028Chennai

2.The District Registrar
Registration Department, Velapadi,
Vellore.

3.The Sub Registrar
Thirupathur District, Thirupathur.

4.The District Collector
Thirupathur District, Thirupathur

5.The District Superintendent of Police
O/o The Superintendent of Police,
Thirupathur

6.The Thasildhar
O/o The Thasildhar, Thirupathur
District.

Respondent(s)



PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorari, calling for records relating to the order of the 1st respondent made in Letter No.951/U1/2020 dated 11.02.2020 to quash the same and to consequently direct the respondents 4 and 6 to forthwith restore the petitioners name in the Revenue Records.

For Petitioner(s): Mr.L.Chandrakumar

For Respondent(s): Mr.P.Harish, GA

ORDER

This writ petition has filed against the order passed by the 1st respondent vide Letter dated 11.02.2020.

2. The learned counsel for the petitioner would submit that in this case, the petitioner had filed an application before the respondents, requesting for cancellation of a fraudulent document by invoking the power available to them under Section 68(2) of the Registration Act, 1908. However, the said application was rejected by the respondent, vide impugned order dated 11.02.2020. Hence, this petition.

3. In reply, the learned counsel for the respondent would submit that now, the validity of Section 68(2) of the Registration Act, 1908, was struck down by



the Hon'ble Division Bench of this Court vide order dated 02.08.2024 in W.P.No.10291 of 2022. In such case, the said application for cancellation of fraudulent document cannot be entertained by the respondents. Hence, he would submit that now, the only recourse available to the petitioner is to file a petition before the concerned Civil Court either for cancellation of aforesaid fraudulent document or to declare the same as “null and void”. Thus, he prays for dismissal of this petition.

4. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

5. In the case on hand, initially, an application was filed by the petitioner, requesting the respondents to cancel the fraudulent document, by invoking the power available to them under Section 68(2) of the Registration Act, 1908. The said application was rejected by the respondent vide the impugned order dated 11.02.2020.

6. As rightly contended by the respondent, the validity of Section 68(2) of the Registration Act, 1908, was struck down by the Hon'ble Division Bench of this Court vide order dated 02.08.2024 in W.P.No.10291 of 2022. In such case, the respondents will not have any power to cancel the aforesaid fraudulent document. Therefore, now, the only recourse available to the petitioner is to file



a petition before the concerned Civil Court either for cancellation of aforesaid fraudulent document or to declare the same as “null and void”.

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7. In view of the above, this writ petition is dismissed with liberty to the petitioner to file a suitable petition before the appropriate Civil Court. No cost.

05-03-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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KRISHNAN RAMASAMY J.
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