



WEB COPY

WP No. 35576 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 35576 of 2024

S.Ramesh

..Petitioner(s)

Vs

1. The Inspector General Of Registration,
Registration Department, Santhome High Road,
Mylapore, Chennai 600 004.
2. The District Registrar,
Registration Department,
Kallakurichi Registration District,
Kallakurichi 606 202.
3. The Sub-Registrar,
Sub Registration Office, Chinnasalem,
Kallakurichi District - 600 201.
4. Vijaya
D/o Muniyapillai, W/o Marimuthu,
No 15, Ganapathy Devar Colony,
Bharathi Nagar 3rd Street,
Ramanathapuram Village,
Coimbatore (South) Taluk and District.
5. Valli
D/o Muniyapillai, Residing At Saravana Patti
Power Office Colony Combatore Taluk And
District
6. Rajasekar
S/o Muniyapillai, Residing At Saravana Patti
Power Office Colony Combatore Taluk And
District



7. M. Venkatesan
S/o Muniyapillai, Residing At Saravana Patti
Power Office Colony Combatore Taluk And
District
8. A. Venkatesan
S/o Arunachala Mooppair, No 472, Katukottai
Maravaanatham Village Chinnasalam Taluk,
Kallakurichi District 600 201
9. Govindaraju
S/o Rengarasu No 2/222, Kerathur Village
Karambakudi Taluk, Pudukottai District
- 10.A. Selvam
S/o Arunachala Mooppair,
No 471, Kattukottai, Maravaanatham Village
Chinnasalam Taluk,
Kallakurichi District 600 201.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the official Respondents 1 to 3 herein to remove entry of Sale Deed Doc. No 7524 of 2022 dated 26.12.2022 was executed by the 4th to 7th Respondents herein to and in favour of the 8th respondent herein and in turn the 8th respondent executed the Sale Deed Doc. No 7658 of 2022, dated 30.12.2022 to the 9th Respondent half portion, further the 8th respondent herein executed the Settlement Deed Doc No 5205 of 223, dated 28.08.2023 in favour of the 10th Respondent remaining portion, in respect of Survey Nos 266/4 measuring extent of 1 acres, survey No 266/3 measuring extent of 0.19 cents, survey No 265/5 measuring extent of 1.62 acre, situated in Chinnasalem North Village, Chinnasalem Taluk, Kallakurichi District registered on the file of the 3rd respondent from the necessary registration index, within a time frame fixed by this Honble Court.



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For Petitioner(s):

Mr.D.Murugan

For Respondent(s):

Mr.P.Harish

Government Advocate for R1 to R3

Mr.V.Gunasekar for R8 to R10

ORDER

This Writ Petition has been filed seeking issuance of writ of mandamus, directing the official Respondents 1 to 3 herein to remove entry of certain Sale Deeds executed in respect of Survey Nos 266/4 measuring extent of 1 acres, survey No 266/3 measuring extent of 0.19 cents, survey No 265/5 measuring extent of 1.62 acre, situated in Chinnasalem North Village, Chinnasalem Taluk, Kallakurichi District registered on the file of the 3rd respondent from the necessary registration index.

2. The learned counsel appearing for the petitioner would submit that by playing fraud, Sale Deed Doc. No 7524 of 2022 dated 26.12.2022 was executed by the 4th to 7th Respondents herein to and in favour of the 8th respondent herein and, in turn, the 8th respondent executed Sale Deed No. 7658 of 2022, dated 30.12.2022 to the 9th Respondent half portion, further the 8th respondent herein executed Settlement Deed No. 5205 of 223, dated 28.08.2023 in favour of the 10th Respondent remaining portion, in respect of Survey Nos 266/4 measuring extent of 1 acres, survey No 266/3 measuring extent of 0.19 cents, survey No



265/5 measuring extent of 1.62 acre, situated in Chinnasalem North Village, Chinnasalem Taluk, Kallakurichi District registered on the file of the 3rd respondent. Hence, the present writ petition filed for removal of entries from the registration index.

3. The learned Government Advocate appearing for the respondents would submit that if the petitioner seeks removal of entries claiming that the sale deed was executed by playing fraud, the same cannot be considered by the official respondents, since the provisions of Section 77-A and 68 was struck off.

4. I have considered the submissions made by the learned counsel appearing on either side and the material available on record.

5. As rightly contended by the learned Government Advocate appearing for the respondents that since the 77-A as well as 68(2) of the Registration act have already been struck off, the official respondents have no power to cancel the sale deed, which was said to have executed by playing fraud. The right course available for the petitioner is to challenge the execution of sale deed before the appropriate civil Court and getting it nullified. Since it is stated that it was executed by playing fraud, it is up to the petitioner to lodge a complaint before the Police and in such case, it is up to the Police to take appropriate action by filing FIR and conducting enquiry in the manner known to law.



6. This Writ Petition is dismissed with the above terms. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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Mylapore, Chennai 600 004.
2. The District Registrar,
Registration Department,
Kallakurichi Registration District,
Kallakurichi 606 202.
3. The Sub-Registrar,
Sub Registration Office, Chinnasalem,
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KRISHNAN RAMASAMY, J.

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