



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 32934 of 2025

G.Manikandan

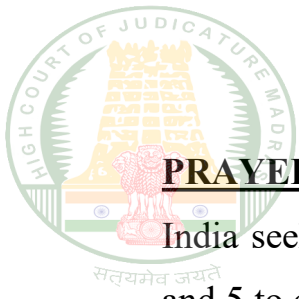
S/o.Godhandaraman, Vaniyar Street, Melmalaiyanur
Taluk And Post, Villuppuram District -604 204.

..Petitioner(s)

Vs

1. The Inspector General Of Registration,
Office Of The Inspector General Of Registration,
Chennai.
2. The Additional Inspector General Of Registration,
Office Of Inspector General Of Registration, Chennai.
3. The Zonal Deputy Inspector General Of Registration,
Office Of The Deputy Inspector General Of Registration,
Cuddalore Zonal, Cuddalore.
4. The District Registrar,
District Registrar Office, Tindivanam, .
5. The Sub Registrar,
Sub Registrar Office, Valathi.
6. Iyappan,
S/o.Ramchandran, Iyyan Store, Avalurpettai Road,
Melmalayanur Bus Campus, Melmalaiyuanur,
Villuppuram District -604 204.

..Respondent(s)



PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Mandamus directing the respondents 1 and 5 to cancel the forged Gift Settlement Deeds vide Document Nos. 441/2002 and 14/2003 executed with forged documents and concealment of the facts by the 6th respondent, based on the petitioner's representation dated 20.06.2025.

For Petitioner(s): Mr. K.Prabhakaran

For Respondent(s): Mr. Roshan Atiq M.

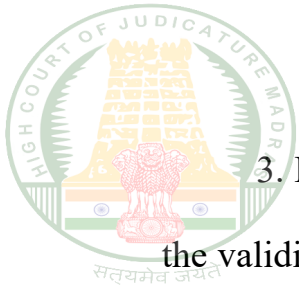
Government Counsel for R1 to R5

Mr.B.Jawahar for R6

ORDER

The Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 and 5 to cancel the forged Gift Settlement Deeds vide Document Nos. 441/2002 and 14/2003.

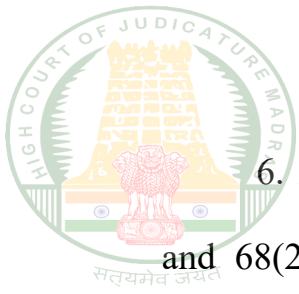
2. According to the petitioner, the Gift Settlement Deeds vide Document Nos. 441/2002 and 14/2003 were forged one. Therefore, the petitioner has given a representation on 20.06.2025 seeking cancellation of the said deeds. However, the official respondents have not considered the same till date. Hence, the present Writ Petition has been filed.



3. In reply, the learned counsel for the respondent would submit that now, the validity of Sections 77A and 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 registered Gift Settlement Deeds cannot be cancelled in the absence of a decree or order obtained from a competent Court of law. Hence, he would submit that now, the only recourse available to the petitioner is to file a suit before the concerned Civil Court either seeking cancellation of the aforesaid allegedly fraudulent settlement deeds or a declaration to declare the same as 'null and void'. Consequently, he prays for the dismissal of the present writ 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, a representation was given by the petitioner, requesting the officials respondents to cancel the allegedly forged Gift Settlement Deeds registered as Document Nos. 441/2002 and 14/2003. However, the said representation has not been considered by the official respondents till date.



6. As rightly contended by the respondent, the validity of Section 77A and 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 gift deed.

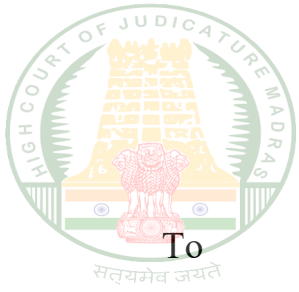
7. When such being the case, the only recourse available to the petitioner is to approach an appropriate Civil Court either for cancellation of aforesaid fraudulent gift deed or to declare the same as “null and void”. The present petition cannot be entertained by this Court.

8. Therefore, this Writ Petition is dismissed. The petitioner is granted liberty to file a suit, for cancellation of gift deed, before the appropriate Civil Court. There shall be no order as to costs.

10-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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1. The Inspector General Of Registration,
Office Of The Inspector General Of Registration,
Chennai.
2. The Additional Inspector General Of
Registration,
Office Of Inspector General Of Registration,
Chennai.
3. The Zonal Deputy Inspector General Of
Registration,
Office Of The Deputy Inspector General Of
Registration, Cuddalore Zonal, Cuddalore.
4. The District Registrar,
District Registrar Office, Tindivanam, .
5. The Sub Registrar,
Sub Registrar Office, Valathi.



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KRISHNAN RAMASAMY, J.

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