



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 33159 of 2024

N.Saraswathi
W/o Natarajan Munjanur Village,
Tiruchengode Taluk, Namakkal District

Petitioner(s)

Vs

1. The Inspector General Of
Registration
Santhome High Road, Chennai
- 2.The District Registrar
Nallipalayam Post, Namakkal
- 3.The Sub Registrar
North Cross Street, Malasamuthiram
- 4.N.Sakunthala
W/o.Natarajan,
No.1/141 Jedarpalayathar Thottam,
Munjanur Post, Tiruchengode Taluk,
Namakkal District.

**R4 impleaded as per order dated 26.03.2026
passed in WMP.No.18778 of 2025

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to take action under section 81 and 83 of the Registration Act in respect of the document registered under document No. 3059 / 2020 dated 5.10.2020 registered in the office of the 3rd respondent purported to be a settlement deed.

For Petitioner(s): Mr.N.Suresh



For Respondent(s): Mr.U.Baranidharan, SGP for R1 to 3

ORDER

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This writ petition has filed to the respondents to take action under section 81 and 83 of the Registration Act in respect of the document registered under document No. 3059 / 2020 dated 5.10.2020 registered in the office of the 3rd respondent.

2. The learned counsel for the petitioner would submit that in this case, initially, one Solai Sivaselvam (petitioner's brother's son) had executed the Power of Attorney in favour of the 4th respondent on 22.06.2011. Subsequently, the 4th respondent had executed the settlement deed dated 05.10.2020 in favour her favour, i.e., the very same settlor had executed a settlement deed in favour of very same settlee. Hence, the petitioner had filed a representation before the official respondents, requesting them to take action against the 4th respondent in terms of Section 81 & 83 of the Registration Act, 1908. However, the said representation was not considered by the respondent till date. Hence, this petition.

3. In reply, the learned counsel for the respondent would submit that as per the law laid down by the Hon'ble Apex Court in number of cases, the petitioner, himself, is entitled to file a criminal complaint, on the aspect of



alleged fabrication of records, in terms of Sections 82 and 83 of the Registration Act.

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4. Further, he would submit that now, the 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.

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

6. In the case on hand, a representation was filed by the petitioner, requesting the official respondents to take action against the 4th respondent for executing the settlement deed dated 05.10.2022 in a fraudulent manner. The said representation was not at all considered by the respondent.

7. As rightly contended by the respondent, once the petitioner gains knowledge on the aspect of forged documents, he is entitled to file a criminal complaint, on the aspect of alleged fabrication of records, in terms of Sections 82 and 83 of the Registration Act, 1908. This aspect was also upheld by the Apex Court in number of Judgments.



8. When such being the case, this Court directs the petitioner to file a complaint before the concerned Police Authorities with regard to the alleged fabrication of settlement deed on the part of the 4th respondent. With regard to the cancellation of said deed, it is up to the petitioner to file a petition for the same before the appropriate Civil Court.

9. With the above directions, this Writ petition is disposed of. No cost.

26-03-2026

nsa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Inspector General Of
Registration
Santhome High Road, Chennai

2.The District Registrar
Nallipalayam Post, Namakkal

3.The Sub Registrar
North Cross Street, Malasamuthiram



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KRISHNAN RAMASAMY J.
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