



W.P.(MD) No.479 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.479 of 2026

and

W.M.P.(MD).Nos.448 to 450 of 2026

S.Ramya

... Petitioner

Vs

1. The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Rajagamberam, Madurai - 625 108.
2. The District Registrar,
Registration Department,
Rajagamberam,
Madurai - 625 108.
3. The Sub-Registrar,
Pothumbu,
Madurai District.
4. U.Prabakaran
5. M.Balasubbramanian
6. The Commissioner of Police,
Madurai City,
Alagar Kovil Road,
Madurai - 625 002.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, by declaring the Sale Deed executed and registered in favour of the fourth respondent by late Ganesan on 14.09.2023 as document No.6684/2023, the sale deed executed and registered in favour of the fifth respondent by the fourth respondent on 21.09.2023 as Document No. 6843/2023, as illegal, null and void, consequently by directing the respondents 1 to 3 to cancel and delete the entry of those documents in the Book No. 1 of the register maintained by the third respondent.

For Petitioner	: Mr.S.Rengasamy
For R-1 to R-3	: Mr.M.Lingadurai, Special Government Pleader
For R-6	: Mr.Albert James, Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed seeking a declaration that the Sale Deed executed and registered in favour of the fourth respondent by late Ganesan on 14.09.2023 as Document No.6684/2023 and the Sale Deed executed and registered in favour of the fifth respondent by the fourth respondent on 21.09.2023 as Document No.6843/2023 are illegal, null and void, and consequently to direct respondents 1 to 3 to cancel and delete the entries relating to the said documents in Book No.1 of the register maintained by the third respondent.



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2. The learned counsel appearing for the petitioner would submit that the fifth and sixth respondents attempted to deal with the property as if the petitioner had executed a Power of Attorney in favour of one Ganesan on 23.08.2023. Based on the said alleged Power of Attorney, the said Ganesan is stated to have executed the Sale Deed dated 14.09.2023 in favour of the fourth respondent, which was registered as Document No.6684/2023, and thereafter, the fourth respondent executed and registered the Sale Deed in favour of the fifth respondent on 21.09.2023 as Document No.6843/2023. It is the categorical stand of the petitioner that she never executed the alleged Power of Attorney dated 23.08.2023 in favour of the said Ganesan and the said documents are fabricated. It is further submitted that the fourth and fifth respondents are attempting to deal with the disputed property on the strength of the said documents and hence, the present Writ Petition has been filed seeking to declare the said documents as null and void.

3. The learned Special Government Pleader appearing for respondents 1 to 3 would submit that the present dispute involves



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seriously disputed questions of fact, which cannot be adjudicated in a writ jurisdiction under Article 226 of the Constitution of India, and the proper remedy available to the petitioner is to approach the competent Civil Court.

4. Considering the submissions made on either side, this Court is of the view that the relief sought for by the petitioner involves adjudication of disputed questions of fact, including the genuineness of the alleged Power of Attorney and subsequent Sale Deeds, which can be decided only on the basis of oral and documentary evidence. It is well settled by the Hon'ble Supreme Court that matters involving disputed facts and seeking declaration of documents as null and void cannot ordinarily be entertained under Article 226 of the Constitution of India and the appropriate remedy is to institute a civil suit before the competent Civil Court. In view of the settled legal position, this Court is not inclined to entertain the present Writ Petition.

5. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.



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Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

TSG

To

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KRISHNAN RAMASAMY, J.

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