



WEB COPY

W.P(MD)No.10507 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.04.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.10507 of 2026

G.Tamilarasi

... Petitioner

Vs.

1.The Assistant Inspector General of Registration,
O/o.Othakadai Registrar Office,
1st Floor, Madurai.

2.The District Registrar,
District Registrar Office,
Madurai.

3.The Sub Registrar,
Sub Registrar Office,
Usilampatti,
Madurai.

4.Rajeshwari

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 and 2 to make an entry of document No.4845/2025 & 4846/2025 as a fraudulent document in EC for Survey Nos.82/1F, 82/4, 82/5, 82/6 and 82/7 and consequently take action against the Sub Registrar, Checkanurani for registering the fraudulent document knowingly by considering the petitioner's representation dated 06.04.2026.



For Petitioner	:Mr.S.Pavithra for M/s.Ganesan Legist Law Firm
For R1 to R3	:Mr.D.S.Nedunchezian Government Advocate
For R4	:Mr.S.Ramsundar Vijayaraj

ORDER

This writ petition is filed for a mandamus directing the respondents 1 and 2 to make an entry of document Nos.4845 of 2025 and 4846 of 2025 as a fraudulent document in the encumbrance certificate, in respect of survey. Numbers.82/1F, 82/4, 82/5, 82/6 and 82/7 and consequently take action against the sub Register Checkanurani for registering the fraudulent document by considering the petitioners representation dated 06.04.2020.

2.Upon hearing the learned counsel for the petitioner and perusing the medical records of the case, the case of the petitioner is that the petitioner is the owner of the property and the private respondent herein, namely, the 4th respondent has fraudulently entered into the above transactions and therefore, the present writ petition is filed.

3.It must be seen that the relevant provision viz., 77-A of the Act, has already been declared by unconstitutional by the Division Bench of this Court in ***Kathirvel Vs. The Inspector General of Registration, Department of Registration, 100, Santhome High Road, Chennai(W.P.Nos.10291 of***



2022 etc batch case), and therefore, as on date the Sub- Registrar or the District Registrar or the other authorities have no power to carry on this side exercise. If at all the petitioner is aggrieved, the petitioner has to approach the competent Civil Court. Even with reference to the same, the learned counsel taking notice on behalf of the 4th respondent would submit that the petitioner had also already approached the Civil Court by way of filing a suit in O.S.No.155 of 1999 and suffered an adverse judgment.

4.That be so, the learned counsel for the petitioner would submit that presently yet another injunction suit is pending before the Civil Court. In any event, if only the petitioner gets any relief before the civil Court, appropriate entry in the encumbrance can be made pursuant to the production of the civil Court judgment. As on date there is no power for the District Registrar or the Sub Registrar to adjudicate on the document as fraudulent document and accordingly the writ petition stands dismissed. No costs.

15.04.2026

NCC:Yes/No
Ns



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D.BHARATHA CHAKRAVARTHY, J.

Ns

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