

W.P.(MD)No.14037 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14037 of 2026

M.Kannan

.. Petitioner

- Vs. -

1.The Inspector General of Registration,
Registration Department,
Santhome High Road,
Chennai-600 028.

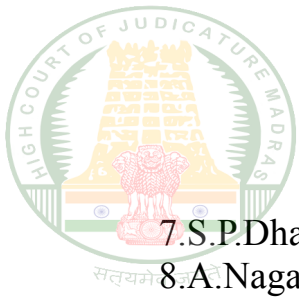
2.The District Registrar,
Registration Department,
Periyakulam Registration District,
Theni District-625 531.

3.The Sub Registrar,
Thevaram Sub Registration Office,
Thevaram, Theni District.

4.Mr.Irulappan,
Former Sub Registrar,
Thevaram Sub Registration Office,
Thevaram, Theni District.

5.A.R.Rajesh
Authorized Officer,
Canara Bank,
Zonal Office,
Theni to Periyakulam Road,
Theni.

6.S.Raghuvarman



W.P.(MD)No.14037 of 2026

7.S.P.Dhamodharan

8.A.Nagarajan

9.Pathmanaban

10.Saravanakumar

11.Vivekanandan @ Kappai Pandiyan

12.Palpandian

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to initiate criminal prosecution against the respondents 4 to 12 under Section 83 of Tamil Nadu Registration Act, 1908 in the light of the petitioner's representation dated 10.04.2026 within the time frame.

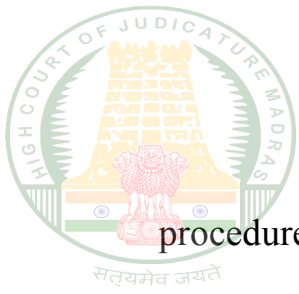
For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.R.Parthiban
Government Advocate for R1 to R3

ORDER

The Writ Petition is filed to initiate criminal prosecution against the respondents 4 to 12 under Section 83 of the Tamil Nadu Registration Act, 1908, in the light of the representation dated 10.04.2026.

2. Upon hearing the learned counsel for the petitioner and considering the material records of the case, it can be seen that the property has been mortgaged in favor of the bank and the same has been sold by way of proceedings under the SARFAESI Act. Even if there is any irregularity or non-compliance of



W.P.(MD)No.14037 of 2026

procedure in respect thereof, it will be very well open to the petitioner to challenge those proceedings in the manner known to law before the appropriate Debt Recovery Tribunal. Without doing so, it cannot be termed as criminal in nature and seek the present direction. The petitioner, admittedly, was one of the mortgagors, and if the debt is not repaid and the property is brought to auction under the SARFAESI Act, the further remedies of the petitioner lie only before the remedies that are provided under the Act before the appropriate forum. Keeping open the liberty of the petitioner to challenge the sale proceedings, sale certificate, etc., in the manner known to law, the Writ Petition stands disposed of. No costs.

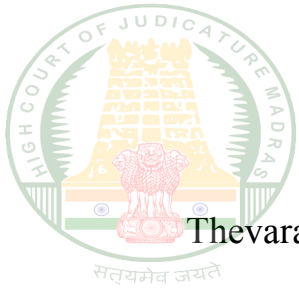
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NCC : No
sjj

To

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Chennai-600 028.
- 2.The District Registrar,
Registration Department,
Periyakulam Registration District,
Theni District-625 531.
- 3.The Sub Registrar,
Thevaram Sub Registration Office,

3/4



Thevaram, Theni District.

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W.P.(MD)No.14037 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD)No.14037 of 2026

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