



*W.P.(MD)Nos.16241 of 2024 and 12727 of 2025*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 24.03.2026**

**CORAM:**

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

**W.P.(MD)Nos.16241 of 2024 and 12727 of 2025**

**and**

**W.M.P.(MD)No.14118 of 2024**

**W.P.(MD)Nos.16241 of 2024:-**

K.Thilagar

... Petitioner

-VS-

- 1.The Inspector General of Registration,  
100, Santhom High Road,  
Raja Annamalaipuram,  
Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,  
O/o. DIG of Registration,  
Kajamalai, Trichy - 620 021.
- 3.The District Registrar,  
Trichy Joint - I and II, Sub Registrar Office Campus,  
Cantonment, Trichy - 620 001.
- 4.The Sub Registrar,  
Woraiyur Sub Registrar Office,  
Woraiyur,  
Trichy.



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5.The Sub Registrar,  
Thillai Nagar Sub Registrar Office,  
Thillai Nagar,  
Trichy.

6.K.J.Sriram

7.S.Nandhini Devi

8.K.J.Sri Ragavendra

9.M.Ananthi

10.M/s.JM Financial Home Loans Ltd.,  
Through its Authorized Signatory / Manager,  
7<sup>th</sup> Floor, Cynergy, Appasaheb Marathe Marg,  
Prabhadevi, Mumbai - 400 025.

11.The Manager,  
M/s.JM Financial Home Loans Ltd.,  
PL.A.Sivagami Towers, C56, 3<sup>rd</sup> Floor,  
4<sup>th</sup> Cross Main Road,  
Thillai Nagar,  
Trichy – 620 018.

... Respondents

[R10 and R11 are impleaded vide order dated  
23.07.2025 in W.M.P.(MD)No.4233 of 2025]

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to cancel the forged documents registered as Doc.No.5706/2022 on the file of 4<sup>th</sup> respondent office dated 24.06.2022 and Doc.No.2129/2024 on the file of 5<sup>th</sup> respondent office dated 14.03.2024 respectively, by conducting a detailed enquiry in the light of the



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petitioner's representation dated 29.06.2024, within a time frame as fixed by this Court.

For Petitioner : Mr.P.Santhana Krishnan

For R1 to R5 : Mr.M.Gangatharan  
Government Advocate

For R6 to R9 : Ms.P.Yasmin Begum

For R10 and R11 : Mr.S.Balaji  
for Mr.S.Babu

**W.P.(MD)Nos.12727 of 2025:-**

Nandhini Devi

... Petitioner

-VS-

1.The District Registrar,  
O/o. the District Registrar,  
Trichy,  
Trichy District.

2.The Sub Registrar,  
O/o. the Sub Registrar,  
Thillai Nagar,  
Trichy District.

... Respondents

**PRAYER:-** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the entire records in connection with the impugned Refusal Check Slip dated 20.03.2025 bearing Refusal Order Number RFL/Thillainagar/75/2025 to quash the same as



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unconstitutional and illegal, consequently direct the second respondent herein to register the settlement deed dated 07.03.2025.

For Petitioner : Ms.P.Yasmin Begum

For Respondents : Mr.M.Gangatharan  
Government Advocate

### **COMMON ORDER**

These two writ petitions are connected and are disposed of by this common order.

2. W.P.(MD)No.16241 of 2024 has been filed by K.Thilagar. Upon hearing the learned counsel for the petitioner and perusing the material records, the grievance of the petitioner is that the property originally belonged to his father, who executed a registered Will dividing the property into A, B, C, and D Schedules and bequeathing shares to himself as well as to his brother's son. The Will also contains a clause restraining alienation of the property.

3. While so, it is alleged that the other branch of the family is attempting to deal with the property. A settlement deed bearing Document No.



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5706 of 2022 has been registered, and based on the same, another settlement deed bearing Document No.2129 of 2024 has also been fraudulently registered. Therefore, by a representation dated 29.06.2024, the petitioner sought for cancellation of the said documents on the ground that they are fraudulent.

4. Subsequently, when a further document was presented by the seventh respondent, namely S.Nandhini Devi, the same was refused for registration by a refusal check slip dated 20.03.2025. Challenging the same, the said S.Nandhini Devi has filed W.P.(MD)No.12727 of 2025.

5. It is seen that, in the refusal check slip, the pendency of W.P. (MD)No.16241 of 2024 has been cited as the reason for refusal.

6. The learned counsel for the petitioner in W.P.(MD)No.16241 of 2024 would submit that, even though Section 77-A of the Registration Act, 1908 (hereinafter referred to as “the Act”) has been declared unconstitutional by the Division Bench of this Court in **M.Kathirvel vs. Inspector General of Registration and others**<sup>1</sup>, it is still open to the registering authorities to enquire

<sup>1</sup> (2024) 4 LW 110 : (2024) 5 MLJ 107 : (2024) 4 CTC 769



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into the matter under Sections 82 and 83 of the Act. Therefore, the petitioner's representation ought to be considered and the aforementioned documents should be declared as fraudulent.

7. The learned counsel further contended that, in the documents presented, the entire property, including the portion bequeathed to the petitioner, has been included in the schedule, thereby causing prejudice to him.

8. The learned Government Advocate appearing for the Sub-Registrar submitted that, during the pendency of the writ petition, after conducting due enquiry, the impugned refusal check slip was issued.

9. With reference to the claim in W.P.(MD)No.16241 of 2024, it is submitted that the Sub-Registrar or the registering authorities no longer have the power to declare a document as fraudulent.

10. The learned counsel appearing for the respondents 10 and 11 in W.P.(MD)No.16241 of 2024 submitted that the properties have already been dealt with by way of mortgage.



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**11.** The learned counsel appearing for S.Nandhini Devi, the petitioner in W.P.(MD)No.12727 of 2025, submitted that the prayer in W.P.(MD)No.16241 of 2024 is no longer sustainable in view of the Division Bench judgment of this Court. Once the writ petition is disposed of, the reason mentioned in the refusal check slip would no longer survive. It is further submitted that, in the document presented, only the portion allotted to the respective branch has been dealt with, and the mention of Schedule A is only for describing the entire property.

**12.** I have considered the rival submissions made on either side and perused the material records.

**13.** In view of the Division Bench judgment of this Court in **M.Kathirvel's case** [cited supra], the prayer to declare the documents as fraudulent cannot be entertained.

**14.** With reference to the contention that the matter can be examined under Section 83 of the Act, it is seen that the dispute raised pertains to title and not to the identity of the parties. Even otherwise, from a reading of the recitals of



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the document, it is evident that the parties are dealing only with their respective shares, as reflected in Schedules B and C. In fact, only the half undivided share in Schedules B and C is dealt with in the documents. Therefore, merely because the entire extent is mentioned as Schedule A, the petitioner in W.P.(MD)No.16241 of 2024 need not have any apprehension. In any event, if the petitioner disputes the documents on the ground of title, it is open to him to approach the competent Civil Court.

**15.** In view of the above:

(i) W.P.(MD)No.16241 of 2024 stands dismissed.

(ii) W.P.(MD)No.12727 of 2025 stands allowed. The impugned refusal check slip dated 20.03.2025 is set aside. The petitioner in W.P.(MD)No.12727 of 2025 is directed to re-present the document, and the Sub-Registrar shall register the same within a period of two weeks from the date of such presentation, if there is no other legal impediment.

(iii) The parties are permitted to act on the web copy of this order without awaiting the certified copy.



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No costs. Consequently, connected Miscellaneous Petition is closed.

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**24.03.2026**

Neutral Citation : No

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To:-

- 1.The Inspector General of Registration,  
100, Santhom High Road,  
Raja Annamalaipuram,  
Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,  
O/o. DIG of Registration,  
Kajamalai, Trichy - 620 021.
- 3.The District Registrar,  
Trichy Joint - I and II, Sub Registrar Office Campus,  
Cantonment, Trichy - 620 001.
- 4.The Sub Registrar,  
Woraiyur Sub Registrar Office,  
Woraiyur,  
Trichy.
- 5.The District Registrar,  
O/o. the District Registrar,  
Trichy,  
Trichy District.
- 6.The Sub Registrar,  
O/o. the Sub Registrar,  
Thillai Nagar, Trichy District.



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**D.BHARATHA CHAKRAVARTHY, J.**

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