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W.P(MD)No.16459 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 06.11.2025

PRNOUNCED ON : 16.04.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.16459 of 2024

and

WMP(MD)Nos.14261 to 14263 of 2024

S.Subaitha Beevi

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600028.

2. The District Registrar,
Office of the District Registrar,
Sivagangai District, Sivagangai.

3. The Sub-Registrar,
Office of the Sub- Registrar,
Kalayarkovil, Sivagangai District.

4. Palaniappan

5. Singaram

...Respondents

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus to call for the records pertaining to the registration of impugned settlement deed vide document No.1/2820/2023 dated 11.05.2023 registered by the 3rd respondent and to quash the same and consequently directing the 3rd respondent to delete the entries



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relating to the above document from the A Register maintained in the office of the 3rd respondent.

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For Petitioner : M/s.D.Shanmugaraja Sethupathi
For Respondents : Mr.D.Sasikumar
Additional Government Pleader for R1 to R3
Mr.V.Karthikeyan for R4 and R5

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash impugned settlement deed vide document No. 1/2820/2023 dated 11.05.2023 registered by the 3rd respondent and consequently, to direct the 3rd respondent to delete the entries relating to the above document from the A Register maintained in the office of the 3rd respondent.

2.1.The brief facts of the case are that the property in survey No.70/1 to the extent of 1 acre 94 cents situated at Vetriyur Village, Karaikudi Taluk, Sivagangai District, was originally belonging to one Mr.Palaniappa Chettiyar, S/o. Karuppan Chettiyar and the property was inherited by Mr.M.L.Lakshmanan Chettiyar and thereafter, his son whose name is also Lakshmana Chettiyar. The patta in respect of the above land was in the name of Mr.Palaniappa Chettiyar, S/o. Karuppan Chettiyar, who is great grandfather of M.L.Lakshmanan Chettiyar. Out of the total extent, Mr.Abdulla @ Pranmalai Rowther had purchased 47 cents



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through registered sale deed dated 30.12.1957 vide document No.1880/1957 from the above said L.Lakshmanan Chettiyar. He has been in the possession and enjoyment of the property.

2.2.The above said Abdullah @ Pranmalai Rowther had sold the property to the petitioner's father-in-law Mr.Mohamed Sheriff by registered sale deed dated 29.02.1960 vide document No.170/1960. Though the above property to the extent of 47 cents, out of total extent of 1 Acre 94 cents, was purchased in the year 1957 by the above said Abdullah @ Pranmalai Rowther and thereafter purchased by the petitioner's father-in-law, the patta had been standing in the name of Mr.Palaniappa Chettiyar, S/o.Karuppan Chettiyar without any sub-division. However, the petitioner's father-in-law have been in possession and enjoyment of the property. While so, the petitioner's father-in-law had executed a Hiba settlement dated 08.02.2012 in favour of the petitioner's husband Mr.Sheik Mohamed Abdullah. After the settlement, the petitioner's husband has been in possession and enjoyment of the property. Since the petitioner's husband is working in Abroad, he has executed power of attorney dated 28.12.2023 in favour of the petitioner in respect of the above property and the petitioner has been maintaining the property.

2.3. The petitioner has approached the Tahsildar of Karaikudi for



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getting patta in favour of the petitioner's husband in respect of the above property, the petitioner came to understand that the patta has been recently changed in the name of one Singaram, the 5th respondent herein. Subsequently, the petitioner has enquired about the 5th respondent and came to know that the 4th and 5th respondents have conspired together and created false and fabricated settlement deed dated 11.05.2023 by fabricating the documents and impersonating as if they are the sons of Karuppan Chettiyar.

2.4. Taking advantage of the fact that the patta still stands in the name of Palaniyappa Chettiyar, who is great grandfather of Mr.L.Lakshmana Chettiyar, the 4th and 5th respondents have impersonated themselves as if they are sons of the said Mr.Karuppan Chettiyar. The 4th respondent has impersonated as if he is the Palaniyappa Chettiyar. In fact, when the sale deed was executed by the Mr.L.Lakshmana Chettiyar in the year 1957, the patta holder Mr.Palaniappa Chettiyar and his father Mr.Karuppan Chettiyar were no more. While so, the 4th respondent has impersonated himself as the patta holder Mr.Palaniappa Chettiyar and fabricated the settlement deed and registered the same in the office of the 3rd respondent vide document No.2820/2023.

2.5. During the relevant period of registration, one Mr. Saravana Pandi was working as Sub-Registrar in the office of the 3rd respondent. The



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above said Sub-Registrar Mr. Saravana Pandi along with Mr. Karuppan Chettiyar who is Son-in-law of the Headmaster and 4th and 5th respondent had conspired together and forged the document by impersonation with intention to grab the property. The above said Karuppan Chettiyar [Son-in-law of the retired Headmaster] along with the 4th and 5th respondents have been committing forgery and impersonation to grab the properties of different person by adopting the same modus operandi. They have been targeting the properties left without proper maintenance of the land owner who are residing in abroad due to their vocation.

2.6. The petitioner submitted a complaint/representation dated 30.11.2023 to the 1st and 2nd respondents to take appropriate action to cancel the registration of the above document as it was registered by way of Forgery and impersonation as contemplated under section-77A of the Registration Act.

2.7. The petitioner has filed a writ petition in W.P.(MD)No. 29622/2023 and sought direction to the official respondents to take action on the petitioner's complaint. The said writ petition was disposed vide order dated 13.12.2023 by issuing a direction to the respondents 1 to 3. Even thereafter, no action has been taken by the official respondents. Aggrieved by the impugned registration of the settlement deed vide document no.1/2820/2023 dated 11.05.2023 by the 3rd respondent, the petitioner has preferred this writ petition.



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3.Heard Mr.D.Shanmugaraja Sethupathi, Learned Counsel appearing for the petitioner, Mr.D.Sasikumar, Learned Additional Government Pleader appearing for respondents 1 to 3 and Mr.V.Karthikeyan, Learned Counsel appearing for respondents 4 and 5 and perused the records.

4.The official respondents have denied to take the petitioner's complaint dated 30.11.2023 stating that the issue of Section 77 A is pending before the Hon'ble Larger Bench, hence, the petitioner's complaint cannot be taken for further hearing. Aggrieved over the same, the present writ petition is filed.

5.In the Hon'ble Larger Bench, the issue is settled stating that the dispute regarding title cannot be decided by the Registrar under Section 77A. Further, the Hon'ble Full Bench has stuck down the Section 77 A itself.

6.Therefore, the petitioner's complaint cannot be entertained under Section 77A.

7.Therefore, this Court is not inclined to set aside the impugned order. If the petitioner is aggrieved by the settlement deed and the deletion of



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entries relating to the above document from the A Register maintained in the office of the 3rd respondent is concerned, the petitioner is at liberty to approach the competent Civil Court.

8. With the above said observations, the writ petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

16.04.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes

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To

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No.100, Santhome High Road,
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2. The District Registrar,
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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.16459 of 2024**

DATED : 16.04.2026