



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 15882 of 2026

1. Basha Zathi

Rep by her husband and power of
attorney Mr. P. mohammed Hussain S/o
Peerzathey No 11/4, Perampet Chotaba
Street, thirupathur 635 602, thirupathru
District

Petitioner(s)

Vs

1. The Inspector of General of
Registration
Santhome, Chennai 600 028

2. Deputy Inspector General of
Registration
Office of the Deputy Inspector of
Registration, thirupathur

3. The District Registrar
(Administration)
District Registrar office, Thirupathur
635 601 Thirupathur District

Respondent(s)

PRAYER

Calling for the records relating to the impugned order dated 22.09.2025 passed by the 3rd respondent in Na.Ka. No 2641/ Aa3 / 2025, quash the same and consequently direct the respondents to initiate criminal prosecution under section 83 of the Registration Act, 1908 against the errings parties based on the representation of the petitioner dated 02.10.2025

For Petitioner(s): Mr.C.D.Sugumar

For Respondent(s): Mr.P.Harish Govt.Advocate For
Respondent



ORDER

This writ petition has been filed challenging the impugned order dated 22.09.2025 passed by the third respondent, refusing to entertain the petition filed by the petitioner, seeking for prosecuting the offenders under Section 83 of the Registration Act.

2. Eventhough, the third respondent has given different reasons for not entertaining the petitioner's representation, this Court has consistently held that the power under Section 83 of the Registration Act is a discretion exclusively available only with the Registration Department and a party cannot compel the Registration Department to take action against the offenders under the said Section.

3. In the case on hand, the petitioner had given a representation to the Registration Department to initiate criminal prosecution against the persons, who according to the petitioner had executed and registered fraudulent documents. The same has been rejected under the impugned order.

4. As observed earlier, the power given to the Registration Department under Section 83 of the Registration Act is a discretion exclusively vested with the Registration Department and no one can compel the Registration Department to launch prosecution against the offenders, who according to the



said party had violated the provisions of Section 82 of the Registration Act by executing fraudulent documents.

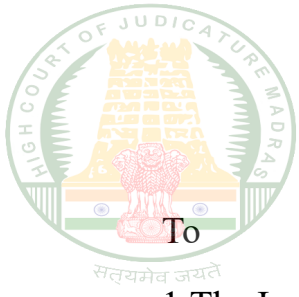
WEB COPY

5. The only limited relief that can be granted to the petitioner in this writ petition is to grant liberty to the petitioner to launch an independent criminal prosecution if so advised, as against the alleged offenders, who according to the petitioner has executed fraudulent documents.

6. Accordingly, this Court is not interfering with the impugned order and this writ petition is disposed of by granting liberty to the petitioner to launch an independent criminal prosecution before the concerned police if so advised as against the alleged offenders, who according to the petitioner have executed fraudulent documents. No Costs.

27-04-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
ab



1.The Inspector of General of
Registration
Santhome, Chennai 600 028

2.Deputy Inspector General of
Registration
Office of the Deputy Inspector of
Registration, thirupathur

3.The District Registrar (Administration)
District Registrar office, Thirupathur 635
601 Thirupathur District



WEB COPY

WP No. 15882 of 2026



ABDUL QUDDHOSE J.

ab

WP No. 15882 of 2026

27-04-2026