



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 13.03.2026

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

W.P(MD)No.6968 of 2026

R.Dharasingh

... Petitioner

Vs.

1.The District Registrar,
District Registration Office,
Collectorate Campus, Kokirakulam,
Palayamkottai,
Tirunelveli District.

2.The Sub-Registrar,
Sub-Registrar Office,
Nazerth,
Thoothukudi District.

3.Ebenezer Rani

4.A.Piranchies Jeevanantham

...Respondents

Writ Petitions are filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to cancel the settlement deed Document No.642/2022 dated 28.04.2022 based on the petitioner representation dated 18.12.2025 within the time limit that may be stipulated by this Court.



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For Petitioner :Mr.M.Anbarasi
For R1&R2 :Mr.D.S.Nedunchezian
Government Advocate

ORDER

This writ petition is filed for a mandamus directing the respondents to cancel the settlement Deed document No.642 by 2022, dated 28.04.2022 based on the petitioner's representation dated 18.12.2025.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it can be seen that the petitioner had made a representation to the authorities alleging that the plot bearing 5445 square feet in Survey number.328/17, situate at Nazareth Village, belongs to him and he having purchased the same vide document No.1792/1970. However, since without mentioning the survey No.328/17, the boundaries alone are mentioned in the said document.

3.The 4th respondent had created a false Patta and on the strength of the same, they have presented a Document on 28.04.2022 and the same is registered as Settlement Deed Document No.642 of 2022 and therefore, the petitioner seeks cancellation of the same.



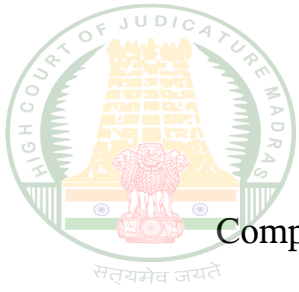
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4. In view of the judgment of the Honourable Full Bench in Sakthivel, Section 77A is no more available. The learned counsel for the petitioner would submit that still the petitioner's case would come under Section 82 of the Act. The allegations made in the representation were extracted above, it can be seen that the allegations are that the rival parties are fraudulently creating documents and grabbing the petitioner's property and therefore, if the petitioner is aggrieved of the said fact that his own property is sought to be wrongfully dealt with by the third parties by creating false documents, now the remedy is opened to the petitioner to approach the civil Court.

5. The learned counsel for the petitioner apprehends that there may be immediate further alienation.

6. Even with reference to any immediate alienation, it will be open for the petitioner to file such interlocutory application before the same Civil Court. While this Court has been relegating the parties to the civil Court, it must also be noted that as and when the party files a civil suit for declaration of his right over property, the same should be disposed of as expeditiously as possible. Therefore, this writ petition is disposed of on the following terms:

(i) The prayer made by the petitioner cannot be countenanced.



(ii)However, it will be open for the petitioner to approach the Competent Civil Court for appropriate relief, if the petitioner is aggrieved.

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(iii)It will also be open for the petitioner to move such interlocutory application and the same shall be considered in accordance with law, as and when such suit is filed, the same shall be considered as expeditiously as possible. No costs.

13.03.2026

NCC:Yes/No

To

1.The District Registrar,
District Registration Office,
Collectorate Campus, Kokirakulam,
Palayamkottai,
Tirunelveli District.

2.The Sub-Registrar,
Sub-Registrar Office,
Nazerth,
Thoothukudi District.

D.BHARATHA CHAKRAVARTHY, J.



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