

W.P(MD)No.11657 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 22.04.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.11657 of 2026

and

W.M.P(MD)No.8889 of 2026

1. Nabiyathu Neesa
2. Nusrath Zahan

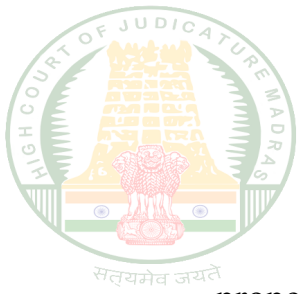
... Petitioners

Vs.

1. The District Registrar,
Office of the District Registrar,
Ramanathapuram.
2. The Sub Registrar,
Office of Sub Registrar,
Velipattinam,
Ramanathapuram District.
3. M.Mohamed Thaha
4. Muniyammal
5. Ahamed Ibrahim

...Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the respondents to conduct enquiry into the representation of the petitioners dated 16.07.2025 into the fraudulent transactions pertaining to



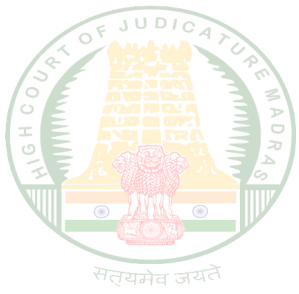
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properties of their father Anwar, S/o.Mohamed Kasim, aged 90 years, for Registered Settlement Deed dated 21.7.2025 vide Doc.No.6170/2025 Registered sale deed dated 24.7.2025 vide Doc. No.6264/2025, Registered Settlement Deed dated 25.07.2025 vide Doc.No.6291/2025, Registered Power of Attorney dated 4.9.2025 Notarized at Malaysia registered by 2nd respondent on 11.9.2025 vide Doc.No.157/2025, and Registered Settlement Deed dated 13.9.2025 vide Doc.No.157/2025 make necessary endorsement of fraudulent transaction on the reverse of the documents, as per the order dated 17.06.2021 in WP (MD) No. 10177 of 2021 on the file of this Honble Court, and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners	:Mr.K.Appadurai
For R1 and R2	:Mr.F.Deepak Special Government Pleader

ORDER

The present writ petition has been filed directing the respondents 1 and 2 to conduct enquiry based on the representation of the petitioner dated 16.07.2025 into the fraudulent transactions pertaining to the properties of their father Anwar, S/o.Mohamed Kasim, aged 90 years for registering the Settlement Deeds mentioned in the above prayer.



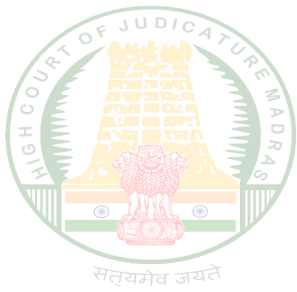
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2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it is noted that the petitioner contends that when the properties originally belonged to their father, the properties were fraudulently dealt with by private respondents 3 to 5 and others. Consequently, the petitioner made a representation but as no action has been taken, the petitioner has approached this Court by way of the present writ petition.

3. I have heard the learned counsel on both sides and perused the material records of the case.

4. The Hon'ble Division Bench of this Court, in **Kathirvel vs. The Inspector General of Registration, Department of Registration and Others (2024 SCC OnLine Mad 6154)**, has held that Section 77A of the Registration Act, along with the circulars issued thereunder, is unconstitutional. Therefore, as of date, the 1st and 2nd respondents have no authority to enquire into such matters.



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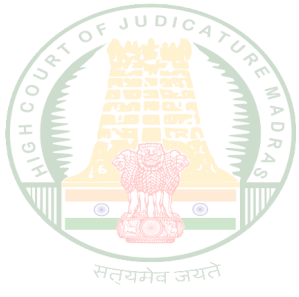
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5. If the petitioner is aggrieved, they may either approach the Civil Court or choose to deal with the property by disregarding the said document, if he is so advised, as the case may be.

6. The writ petition is disposed of, at the admission stage without notice to respondents 3 to 5, with the above liberty. No costs. Consequently, the connected miscellaneous petition is closed.

22.04.2026
(2/2)

Neutral Citation: No
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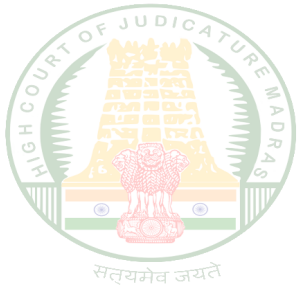


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D.BHARATHA CHAKRAVARTHY, J.

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