

W.P.(MD) No.14471 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.14471 of 2026

and

W.M.P.(MD)No.10866 of 2026

1.Renji Mary Prince
2.Jonathan Williams
3.Jenoah Sam William

... Petitioners

Vs.

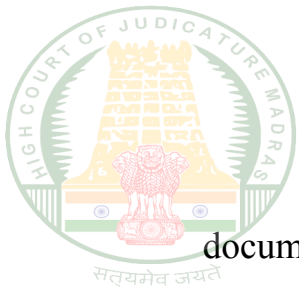
1.The Sub Registrar,
Sub Registrar Office Kottaram,
Kottaram - 629 703.

2.W.Manonmony

3.S.P.M.Gnana Rejin Mary

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorified Mandamus, calling for the records leading to the impugned unilateral cancellation of settlement deeds registered as Doc.No.857 of 2016 dated 16.03.2016, the subsequent WILL registered via Doc.No.124/Book-III/2016 dated 26.08.2016 registered on the file of the first respondent and to quash the same as illegal, void, non-existent in the eye of law, without jurisdiction and against the public policy and further directing the first respondent to remove the entries in respect of



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documents concerned and all consequential documents from the concerned registers.

For Petitioners : Mr.Judah Hudson

For R1 : Mr.R.Parthiban
Government Standing Counsel

For R2 and R3 : Mr.V.P.K.Gowtham

ORDER

Heard the learned counsel for the petitioners, the learned Standing Counsel for the first respondent, and the learned counsel for the respondents 2 and 3.

2. The petitioners are the wife and two children of late S.P.M. Prince Williams, who died on 26.02.2016. Earlier, the petitioners' father-in-law/grandfather, late M.William Thompson, had executed an unconditional settlement deed dated 31.01.2012, settling the subject property in favour of late S.P.M. Prince Williams, the husband of the first petitioner and the father of the second and third petitioners.

3. After the demise of late S.P.M. Prince Williams, M.William Thompson is stated to have executed a deed of cancellation dated 16.03.2016, cancelling the aforesaid settlement deed. The cancellation



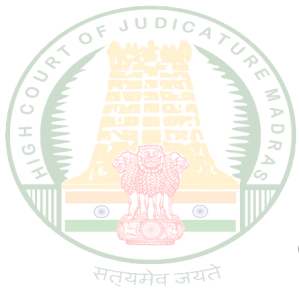
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deed was registered as Document No.857 of 2016. Thereafter, on 26.08.2016, he executed a Will and subsequently died on 21.11.2023. It appears that under the said Will, an extent of 60 cents of land has been bequeathed in favour of the petitioners, while 10 cents each has been bequeathed in favour of his wife and daughter.

4. The learned counsel for the petitioners submitted that the unilateral cancellation of the settlement deed by the deed of cancellation dated 16.03.2016 is void *ab initio*. Consequently, the Will dated 26.08.2016, to the extent it deals with the property covered under the settlement deed, and the consequent devolution of rights in favour of the respondents 2 and 3, are liable to be declared invalid.

5. Per contra, the learned counsel appearing for the respondents 2 and 3 submitted that the petitioners have an efficacious remedy before the competent Civil Court. According to the learned counsel, no relief can be granted in the present writ petition for cancellation of the deed of cancellation dated 16.03.2016.



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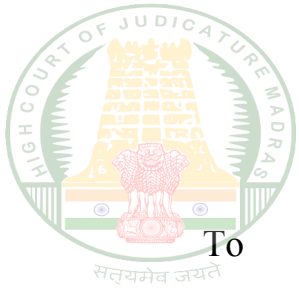
6. The learned Standing Counsel appearing for the official respondents submitted that the powers conferred upon the registering authorities under Section 77-A of the Registration Act, 1908, as inserted by the Tamil Nadu Act 41 of 2022, have been declared *ultra vires* by the Full Bench of this Court. Therefore, the registering authorities have no jurisdiction to cancel a registered document even if it is alleged to have been wrongly registered.

7. Having considered the rival submissions made by the learned counsel appearing on either side, this Court is of the view that the relief sought for in the present writ petition cannot be granted. The issues raised by the petitioners involves disputed questions relating to the validity of the deed of cancellation and the Will, which can appropriately be adjudicated only by the competent Civil Court.

8. Accordingly, the writ petition stands dismissed, granting liberty to the petitioners to work out their remedies before the competent Civil Court in the manner known to law. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

NCC : Yes / No
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To

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The Sub Registrar,
Sub Registrar Office Kottaram,
Kottaram - 629 703.



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C.SARAVANAN, J.

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