

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2017

CORAM

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.28134 of 2016 &
W.M.P.No.24272 of 2016

B.Dhandapani

... Petitioner

v.

1 The Sub-Registrar-Konnur
O/o.The Sub-Registrar
No.5/5, 4th Main Road
Villivakkam SIDCO Nagar
Chennai-600 049.

2 B.Lakshmi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent relating to the cancellation deed dated 28.11.2014 cancelling the settlement deed dated 20.06.2008 registered as Doc.No.5841/14 in the office of the 1st respondent and quash the same as illegal and void and consequently direct the 1st respondent to make appropriate entries in Book No.I of the Register maintained by the 1st respondent so as to reflect the same in the encumbrance certificate pertaining to the property at Old No.25 New No.69 (Front Portion) Plot No.624 GKM Colony 31st Street Chennai-600 082.

For Petitioner : Ms.B.Subhashini
For M/s.Chennai law Associates

For Respondents: Mr.A.N.Thambidurai
Special Govt. Pleader - for R1

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of Certiorarified Mandamus to call for the records of the 1st respondent relating to the cancellation deed dated 28.11.2014 cancelling the settlement deed dated 20.06.2008 registered as Document No.5841/14 in the office of the 1st

respondent, to quash the same as illegal and void and consequently direct the 1st respondent to make appropriate entries in Book No.I of the Register maintained by the 1st respondent so as to reflect the same in the encumbrance certificate pertaining to the property at Old No.25, New No.69 (Front Portion), Plot No.624, GKM Colony, 31st Street, Chennai-600 082.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the parties had settled the matter before the Tamil Nadu Mediation and Conciliation Centre and also entered into a joint memorandum of compromise dated 17.04.2017.

3. The 2nd respondent, viz., B.Lakshmi is also present today, who also acknowledged the due execution of the memorandum of compromise dated 17.04.2017.

4. As per the memorandum of compromise, the 2nd respondent relinquished all her right, title and interest of any nature whatsoever in the schedule property and further declared that she will not set up rival title or question the title of the petitioner in any manner whatsoever. Further, in clause 4(C), the 2nd respondent recorded no objection for granting declaratory relief as prayed for in the writ petition in favour of the petitioner.

5. The joint memorandum of compromise dated 17.04.2017 shall form part of this order.

6. In view of the joint memorandum of compromise, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

Rj

To

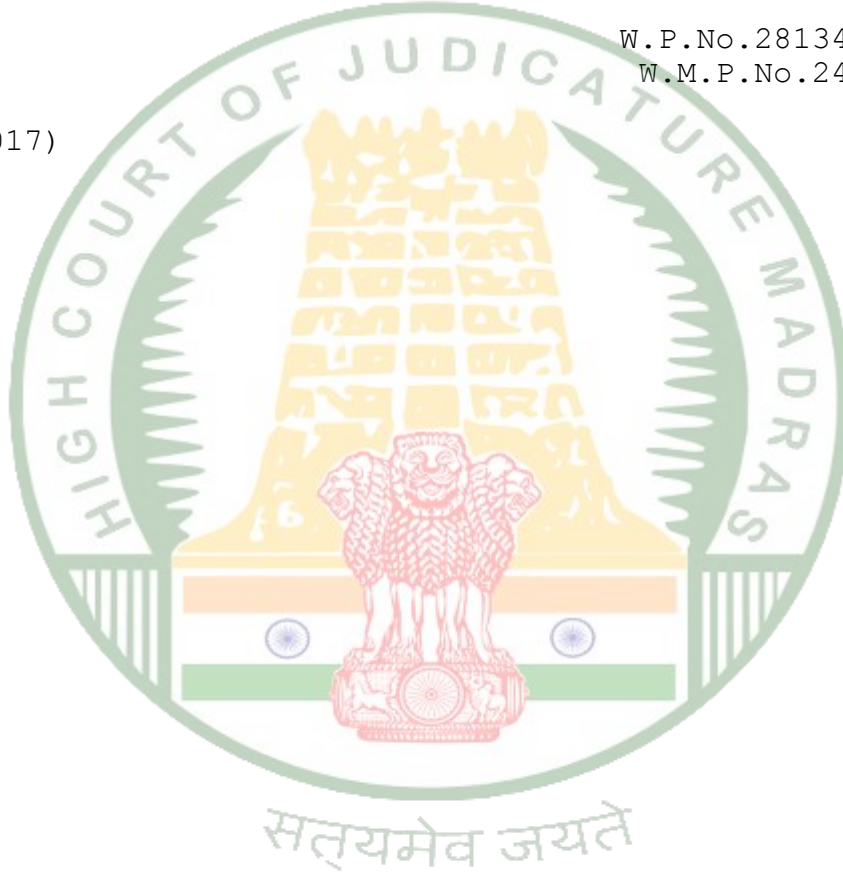
The Sub-Registrar-Konnur
O/o.The Sub-Registrar
No.5/5, 4th Main Road
Villivakkam SIDCO Nagar
Chennai-600 049.

+2cc to Chennai law Associates,sr.40677(22/6/2017)

+1cc government Pleader sr.41126

W.P.No.28134 of 2016 &
W.M.P.No.24272 of 2016

ss(15/6/2017)



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