

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No. 1874 of 2015

and

M.P.No.1 of 2015

B. Vidya

Petitioner

Vs

1. The Sub Registrar  
O/o. the Sub-Registrar  
Adyar  
Chennai - 600 020

2. V.E. Banni Bai
3. B. Kalaivani

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to Writ of Declaration to declare that the Deed of Cancellation dated 31.12.2013 in Document No.3170/2013 registered on the file of the 1<sup>st</sup> respondent herein, cancelling the Settlement Deed dated 29.10.2012 registered as Document No.2184/2012 on the file of the 1<sup>st</sup> respondent as null and void and as opposed to public policy.

For Petitioner : Mr.G. Karthikeyan

For Respondent : Mr. T.M. Pappiah,

Spl. Government Pleader for R1

Mr. S.D. Venkateshwaran for R2

Mr. J. Jayaraman for R3

ORDER

This petition has been filed to declare the Deed of Cancellation, dated 31.12.2013 bearing Document No.3170/2013 registered on the file of the 1<sup>st</sup> respondent herein, cancelling the Settlement Deed, dated 29.10.2012 bearing Document No.2184/2012, as null and void.

2.Today, when the matter is taken up for consideration, the learned counsel for the 3rd respondent, on instructions, submitted that the 3rd respondent, who is the elder sister of the petitioner, has settled the dispute with the petitioner and

she has no objection in granting the relief sought in this writ petition. In support of the said submission, the learned counsel filed a memorandum of understanding dated 08.10.2018 signed by both the parties and the affidavit of the 3rd respondent dated 01.10.2018 to that effect. In para 3 of the affidavit filed by the third respondent, it has been categorically stated as under :

"3. I submit that, the after filing the above writ petition a compromise is arrived in writing between us. The memorandum of understanding executed between myself and the petitioner filed herewith may kindly be treated and read part and parcel of this affidavit. So, I relinquish my right as per the settlement deed 05.03.2014 registered as Doc. No.576/2014 on the file of the 1st respondent herein. I submit that, I have no objection in declaring the Deed of Cancellation dated 31.12.2013 in Document No.3170/2013 registered on the file of the 1st respondent herein as null and void and as opposed to public policy. I undertake that I will not claim any right / title / interest over the settlement deed in Doc. No.576/2014 and further I will not disturb the peaceful possession and enjoyment of the Petitioner as per the Settlement Deed, dated 29.10.2012 registered as Document No.2184/2012 on the file of the 1st respondent.

3.The submissions so made by the learned counsel for the 3rd respondent have been conceded by the learned counsel for the petitioner as well as the learned counsel for the second respondent.

4.Recording the memorandum of understanding signed by the petitioner as well as the third respondent and the affidavit of the third respondent filed on 08.10.2018, this writ petition stands allowed as prayed for. No costs. Consequently, connected Miscellaneous Petition is closed.

\*Enclosed Xerox copy of the Memorandum of Understanding

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsi 2

To

The Sub Registrar  
O/o. the Sub-Registrar  
Adyar  
Chennai - 600 020

+1cc to Mr.G. Karthikeyan, Advocate sr.no.71683  
+1cc to Mr.T.Jayaraman, Advocate sr.no.71841  
+1cc to Government Pleader sr.no.72396

W.P.No. 1874 of 2015

sr(co)  
nr 27/11/2018



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