

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2020

CORAM

THE HONOURABLE THIRU JUSTICE N.ANAND VENKATESH

W.P.No.11498 of 2020 and
W.M.P.No.14051 of 2020

E.R.Loganathan @ E.R.Babu,
S/o.Ramachandran,
Door No.127, 7th Cross Street,
Senthil Nagar,
Kolathur,
Chennai 600 099.

... Petitioner

versus

1.The Sub-Registrar,
Ambathur Sub-Registrar Office,
Ambathur Taluk,
Thiruvallur District.

2.Yasodha,
W/o.Ramachandran, Door No.127, 7th Cross Street,
Senthil Nagar, Kolathur,
Chennai 600 099.

3.L.R.Bharathi,
W/o.L.G.Ravi, Door No.74/1, Gurunath Street,
Panner Nagar,
Mogapair,
Chennai 600 037.

4.L.G.Ravi,
S/o.L.Gopal,
Door No.74/1,
Gurunath Street,
Panner Nagar,
Mogapair,
Chennai 600 037.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the unilateral deed of cancellation of settlement deed executed by the second respondent in Document No.8327 of 2008 dated 19.09.2008 on the file of the first respondent herein and to quash the same as illegal and without jurisdiction and consequently, directing the first respondent to cancel the

subsequent settlement deed dated 09.09.2019 registered as Document No.13112 of 2019 and 08.06.2020 registered as Document No.5312 of 2020, executed by the second respondent and to remove the entries in respect of the aforesaid document numbers 8327 of 2008, 13112 of 2019 and 5312 of 2020 from the encumbrance register in respect of the property in plot No.23 of "Cosmos Nagar" situated in Survey numbers 23/4 & 23/3A (Survey No23/4C as per patta No.23) of Puthagaram Village, Puzhal Panchayat, Ambathur Taluk, Thiruvallur District.

For Petitioner : Mr.R.Hari Shankar
For Respondents : Mr.E.K.Kumaresan

ORDER

This writ petition has been filed challenging the unilateral cancellation of settlement deed through the deed of cancellation dated 19.09.2008.

2. The petitioner has approached this Court nearly after 12 years, questioning the registration of cancellation of the settlement deed.

3. This Court is not inclined to entertain this writ petition and in the considered view of this Court, this writ petition is liable to be rejected on the ground of laches.

4. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

gsk
To
The Sub-Registrar,
Ambathur Sub-Registrar Office,
Ambathur Taluk,
Thiruvallur District.
+1 cc to The Government Pleader, Sr.No. 28512

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NRL (CO)
RMP (14/09/2020)