

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.07.2020

CORAM:

THE HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.17915 of 2017

Murugammal

... Petitioner

v.

1. The District Registrar,  
Registration Department,  
Dharmapuri District.

2. The Sub Registrar,  
Karimangalam  
Dharmapuri District.

3. Jeeva Krishnan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent herein to consider the petitioner's representation dated 14.06.2016 for cancelling the settlement deed dated 17.03.2006.

For Petitioner : No Appearance

For Respondents : Mr.P.P. Purushothaman,  
Govt. Advocate - for R1 & R2

O R D E R

When the matter was listed for hearing on 14.07.2020, the learned counsel appearing for the petitioner was not available to make his submissions through Video Conferencing. Hence, the matter was adjourned to today i.e. 24.07.2020. Today also, the learned counsel appearing for the petitioner is not available to make his submissions through Video Conferencing.

2. The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to consider the petitioner's representation dated 14.06.2016 seeking for cancellation of the settlement deed dated 17.03.2006.

3. On a perusal of the materials available on record, it could be seen that one Chinnapaiyan had executed the settlement deed in favour of the 3<sup>rd</sup> respondent. The petitioner is the sister of the 3<sup>rd</sup> respondent. When the petitioner is seeking for cancellation of the settlement deed executed in favour of the 3<sup>rd</sup> respondent by her father, the remedy open to her is only to file a Civil Suit seeking for cancellation of the settlement deed and not a Writ Petition under Article 226 of the Constitution of India.

4. Mr.P.P.Purushothaman, learned Government Advocate, appearing for the respondents submitted that the Writ Petition is not maintainable and the petitioner can only file a Civil Suit seeking for cancellation of the patta.

5. Having regard to the submissions made by the learned Additional Government Pleader and also taking into consideration the case of the petitioner, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The District Registrar,  
Registration Department,  
Dharmapuri District.
2. The Sub Registrar,  
Karimangalam,  
Dharmapuri District.

+lcc to the Government Pleader Sr.25284

W.P.No.17915 of 2017

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srg 03/08/2020