



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.16671 of 2019

T.Viji

... Petitioner

Vs.

1.The Inspector General of Registrar,
Tamil Nadu Registration Department,
Chennai.

2.The District Registrar,
The District Registration Office,
Nagercoil,
Kanyakumari District.

3.The Sub-Registrar,
Thiruvattar Sub-Registration Office,
Thiruvattar,
Kanyakumari District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the first respondent to dispose the appeal filed by the petitioner, dated 10.07.2018 and the reminder representation dated 27.06.2019, within a stipulated time that may be fixed by this Court.

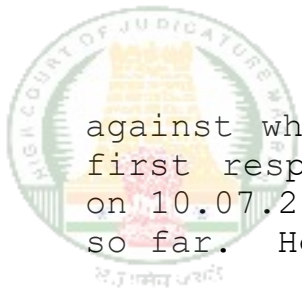
For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.V.Anand
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to dispose the appeal filed by the petitioner, dated 10.07.2018 and the reminder representation dated 27.06.2019, within a time frame to be fixed by this Court.

2.According to the petitioner, the settlement deed, dated 01.07.2009, executed in his favour was cancelled by his mother, vide Document No.4169 of 2011, dated 26.12.2011 and subsequently, the same was registered in favour of the petitioner's sister,



against which, the petitioner has preferred an appeal before the first respondent/the Inspector General of Registration, Chennai, on 10.07.2018, and the same is pending before the first respondent so far. Hence, the present Writ Petition.

3.The learned Government Advocate appearing for the respondents would submit that the petitioner has to approach the competent Civil Court for cancellation of settlement deed, in the light of the decisions already made by this Court.

4.In view of the above said submission and the legal principles of law laid down by this Court that for cancellation of settlement deed, the parties concerned have to approach the Civil Court, by adducing oral and documentary evidence and this Court under Article 226 of the Constitution of India cannot go into the same. Therefore, the only remedy available to the petitioner is to approach the Civil Court to redress his grievance.

5.With the above observation, this Writ Petition stands dismissed with liberty to the petitioner to approach the Civil Court to redress his grievance. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Inspector General of Registrar,
Tamil Nadu Registration Department,
Chennai.

2.The District Registrar,
The District Registration Office,
Nagercoil,
Kanyakumari District.



3.The Sub-Registrar,
Thiruvattar Sub-Registration Office,
Thiruvattar,
Kanyakumari District.

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MM(CO)
TR(13.08.2020) 3P 4C