

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.1526 of 2021
& WMP No.1724 of 2021

Lakshmi Viswanathan

...Petitioner

-Vs-

The Sub-Registrar,
Kodambakkam Sub-Registrar Office,
No.37/5, Azagiri Nagar 5th street,
100 Feet Road, Koyambedu,
Chennai-600 106.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, seeking for a direction to the respondent to register the revocation of settlement deed filed in T.P.No.99142867/2021 dated 12.01.2021 and settlement deed in T.P.No.991596292/2021 dated 12.01.2021.

For Petitioner : Dr.R.Gowri

For Respondent : Mr.T.M.Pappiah, Spl.G.P

ORDER

Heard, Dr.R.Gowri, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondent.

2. The learned counsel for the petitioner submitted that the petitioner has executed a Settlement Deed in favour of her son Jaya Kumar and he died as a bachelor. Subsequently, the petitioner filed a petition for revocation of Settlement Deed, to which, the Sub-Registrar refused to accept. Hence, the petitioner has preferred the present Writ Petition.

3. When the mother settles the properties in favour of her son and if the son died as a bachelor and intestate, the properties settled in favour of the son necessarily will devolve on mother as she being the Class I heir of her son as per the Hindu Succession Act. In the present case, the donor is the mother and on the death of her son/ the donee, the donor herself will obtain the property as Class I heir.

4.In the circumstances, the learned counsel for the petitioner submitted that she is withdrawing the present petition.

5.Permission granted. This petition is dismissed as withdrawn. No costs.

Consequently, connected miscellaneous petition is closed.

01.02.2021

Index : Yes/No
Internet : Yes/No

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To

The Sub-Registrar,
Kodambakkam Sub-Registrar Office,
No.37/5, Azagiri Nagar 5th Street,
100 Feet Road, Koyambedu,
Chennai-600 106.

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N.SESHASAYEE, J.,

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