

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2021

CORAM: JUSTICE N.SESHASAYEE

WP.NO.5738 OF 2021

&

WMP.NO.6347 OF 2021

1.V.Kowsalya

2.V.Girija @ Thirisha

...Petitioners

-Vs-

1. The Inspector General of Registration,
No.100, Santhome Highroad,
Mylapore, Chennai - 600 028.

2. The District Registrar,
Nagapattinam District.

3. The Joint Registrar No.1,
Nagapattinam District.

4. M.Anjammal

...Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned registration of Deed of Cancellation of Settlement deed dated 24.03.2015 registered as Document No.633 of 2015 and settlement deed favour of the 4th Respondent registered as Document No.634 of 2015 on the file of the 3rd respondent and to quash the same and consequently, direct the Respondents 1 to 3 to delete the corresponding entries relating to the said documents from the 'A' Register maintained by the 3rd Respondent.

For Petitioner : Mr.M.Mohamed Yasin

For R1 to R3 : Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner seeks cancellation of what he claims as unilateral cancellation of settlement deed executed in his favour on 24.03.2015 and registered as Document No.633 of 2015 and the subsequent settlement deed executed in favour of the fourth

respondent and registered as Document No.634 of 2015.

2.Heard, Mr.T.M.Pappiah, learned Special Government Pleader for the respondents 1 to 3. The learned Special Government Pleader submitted that the Registering Authority after holding an enquiry under Section 34 of the Registration Act, cannot go into the very many aspects to cancel the document. The remedy to the petitioner lies before the civil Court.

3.This Court finds merit in the submissions of the learned Special Government Pleader.

4.The petitioner is now required to approach the appropriate civil Court to seek such appropriate remedy, if he is so desirous.

5.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Tsg

TO

1. The Inspector General of Registration,
No.100, Santhome Highroad,
Mylapore, Chennai - 600 028.

2. The District Registrar,
Nagapattinam District.

3. The Joint Registrar No.1,
Nagapattinam District.

+1cc to the Government Pleader, S.R.No.15851

W.P.No.5738 of 2021

GPL (CO)
CS/30/03/2021