



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.19763 of 2021

WEB COPY

V.Manoj, aged 8 years,
rep. by Guardian / father namely Veemarajan ... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2.The District Registrar
Ramanathapuram District,
Ramanathapuram.

3.The Sub-Registrar
Sayalkudi Sub-Registrar Office,
Sayalkudi,
Ramanathapuram District.

4.Rajapandian ... Respondents

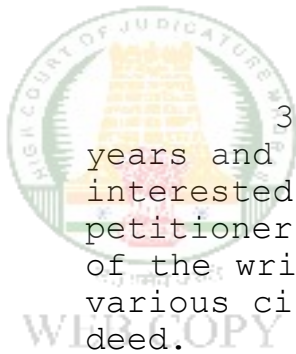
PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent not to cancel the gift deed dated 07.09.2020, vide document No.825/2020, on the basis of representation dated 11.10.2021.

For Petitioner : Mr.T.Indrachithu
For Respondents 1 to 3 : Mr.D.Gandhi Raj
Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The writ petition has been filed in the name of Mandamus seeking a direction against the third respondent / Sub Registrar, Sayalkudi Sub Registrar Office, at Ramanathapuram District, not to cancel the gift deed dated 07.09.2020, which has been registered as Document No.825 of 2020. The petitioner has given a representation on 11.10.2021.



3.The writ petition has been filed by a young child aged 8 years and it is apparent that his guardian / father is actually more interested in the relief sought in the writ petition than the writ petitioner himself. The fourth respondent, who is the grandfather of the writ petitioner had executed the said gift deed and owing to various circumstances is now apparently intending to cancel the gift deed.

4.The learned counsel for the petitioner claimed that the covenants in the gift deed, are very clear that it is absolute in nature and cannot be revisited under any circumstances. These are facts which can be appreciated only by a competent civil Court and liberty is granted to the petitioner herein to approach the jurisdictional civil Court to obtain any appropriate reliefs.

5.In view of that particular observation, this Court cannot granted any relief to the petitioner herein. The writ petition is dismissed. However, the order of dismissal cannot be a factor placed against the petitioner herein in approaching the civil Court and seeking necessary relief. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Registration,
No.100, Santhome High Road,
Chennai.

2.The District Registrar
Ramanathapuram District,
Ramanathapuram.

3.The Sub-Registrar
Sayalkudi Sub-Registrar Office,
Sayalkudi,

<https://hcservices.ecm.court.gov.in/hcservices> Ramanathapuram District.



+1 CC to M/s.SPL.GP (SR-34107[F] dated 11/11/2021)

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TSK (CO)

KB(23.11.2021) 3P 5C