



W.P.No.10478 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10478 of 2015
and MP.No.1 of 2015

Mr.E.Shanmugasundaram

... Petitioner

.Vs.

1.The Sub Registrar
Anna Nagar
Office of the Sub Registrar,
Anna Nagar, JJ Complex
Jawaharlal Nehru Road
Thirumangalam
Chennai 600 040.

2.Mrs.E.Chellammal

3.Mr.K.Elumalai

4.Mrs.Neelavathy

5.Mrs.Nirmala

6.Mrs.Jeeva Anandhi

7.Mrs.Devi @ Devaki

8.Mrs.Jagadeeswari

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying to issue a Writ of Declaration, to declare the cancellation deed dated 22.9.2013 and registered as document No.3320 of 2013 on the file of the 1st respondent and the settlement deed dated 22.9.2013 registered as document No.3321 of 2013 on the file of the 1st respondent



W.P.No.10478 of 2015

as null and void and not binding on the petitioner and his property being house and ground bearing Door No.42/1 Palani Andavar Koil Street Ayanavaram Chennai-600 023 and comprised in T.S.No.89/B Part and as per patta T.S.No.89/7 and measuring as per document 1127 square feet and as per patta 1210 square feet and situate within the registration district of Central Chennai and registration sub district of Anna Nagar.

For Petitioner : Mrs.Shaikh Mehrunisa

For Respondents : Mr. S.Arumugam
Government Advocate
for R1

Mr.V.Achuthanandan
for R5,R6 & R8

ORDER

This writ petition has been filed to declare the deed of cancellation dated 22.09.2013 and the settlement deed dated 22.9.2013 as null and void and not binding on the petitioner.

2.Heard Mrs.Shaikh Mehrunisa, learned counsel for the petitioner, Mr.S.Arumugam, learned Government Advocate for R1 and Mr.V.Achuthanandan, learned counsel for R 5, R 6 and R 8.

3.The issue involved in the present writ petition is squarely covered by the judgment of the Hon'ble Supreme Court in ***Asset Reconstruction Company (India) Limited .Vs. S.P.Velayutham and Others*** reported in ***2022 3 MLJ 747*** and the



W.P.No.10478 of 2015

judgment of the learned Single Judge in ***D.Sachidhanandam .Vs. The***

Registrar/Inspector General of Registration and others reported in ***2022 1 Writ LW***

501, wherein, it has been categorically held that a writ petition is not maintainable for declaring a document as null and void and it falls exclusively within the jurisdiction of Civil Court. The relief sought for in this writ petition is to declare two of the documents as null and void and such a prayer cannot be entertained in this writ petition.

4.It is left open to the petitioner to challenge the impugned documents before the Competent Civil Court and workout his remedy in the manner known to law. Except giving this liberty, no further orders can be passed in this writ petition.

5.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

07.07.2022

KP
Internet: Yes
Index: Yes/No

To

1.The Sub Registrar
Anna Nagar
Office of the Sub Registrar,
Anna Nagar, JJ Complex
Jawaharlal Nehru Road
Thirumangalam
Chennai 600 040.



WEB COPY



W.P.No.10478 of 2015

N.ANAND VENKATESH. J.,

KP

W.P.No.10478 of 2015

07.07.2022