



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.Nos.1076, 1078, 1083, 1090, 1097, 1081 and 1108 of 2022

Dr.A.Ganesan

.. Appellant in all appeals

Vs

The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 600 004.

.. Respondent No.1
in all appeals

The Sub-Registrar,
Madhuranthagam,
Kancheepuram District.

.. Respondent No.2
in W.A.1076/2022

The Sub-Registrar,
Adyar, Chennai.

.. Respondent No.2
in W.A.1078/2022

The Sub-Registrar,
Neelankarai,
Chennai.

.. Respondent No.2
in W.A.1083/2022

The Sub-Registrar,
Velachery, Chennai.

.. Respondent No.2
in W.A.1090/2022

The Sub-Registrar,
Mylapore,
Chennai-600 004.

.. Respondent No.2
in W.A.1097/2022

The Sub-Registrar,
Pallavaram,
Chennai.

.. Respondent No.2
in W.A.1081/2022



The Joint II Sub-Registrar,
Chennai Central,
Thousand Lights,
Chennai.

.. Respondent No.2
in W.A.1108/2022

WEB COPY

Common Prayer: Appeals under Clause 15 of the Letters Patent against the order dated 09.11.2021 in W.P.Nos.20612, 20626, 20620, 20624, 20615, 20630 and 20617 of 2021.

Prayer in W.P.Nos.20612 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / Maduranthagam / 13 / 2021 dated 30.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 26.07.2021 executed by the petitioner and return the same.

Prayer in W.P.No.20615 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / Mylapore / 13 / 2021 dated 13.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 13.07.2021 executed by the petitioner in respect of bearing D. No. 5 Old No. 3 Desikachari Road Mylapore Chennai - 600 004 comprised in O. S. No. 1741, 1738 R. S. No. 1649/1 1649 / 23 C. C. No. 1163 measuring an extent of 1 Ground and 309 Square Feet together with 1/6th undivided share and interest in portion of the vacant land and including the right of passage through private road along with all co-owners and return and the same.

Prayer in W.P.No.20617 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / 2 / Joint II Sub Registrar Central Chennai / 2 / 2021 dated 13.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 13.07.2021 executed by the petitioner in respect of bearing property measuring about 1696 Square Feet 1582 Square Feet 1187 Square Feet and 187 Square Feet respectively in Plot No. 6 in the layout of 118 / 1963 in R. S. NO. 106 / 8 (part) in Haddows Road Nungambakkam Chennai 34 together with 1/3rd share in 519 Square Feet car parking basement area with the ground floor measuring 2605

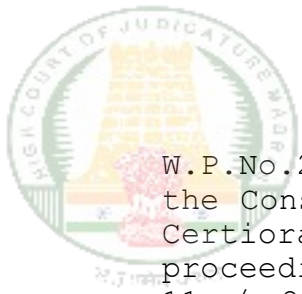


Square Fee of multi storeyed building and return and the same.

Prayer in W.P.No.20620 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / Neelangarai / 33 / 2021 dated 20.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 16.07.2021 executed by the petitioner in respect of 1/3rd share in 28 cents in S. No. 130/2 No. 190 Semmancherry Village 1/3rd share in 29 cents in S. No. 130/1A Semmancherry Village 1/3rd share in 30 cents in S. No. 130/2 (part) in 190 Semmancherry Village Tambaram Taluk Kancheepuram District and return the same.

Prayer in W.P.No.20624 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / Velacherry / 31 / 2021 dated 20.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 16.07.2021 executed by the petitioner in respect of property measuring 23.39 cents in Survey No. 331/1A half share in 19.06 cents in S. NO. 330/4 and 331/7 half share in 19.06 cents in S. No. 330 / 3 and 331 / 6 half share in 19.06 cents in s. No. 330/6 and half share in 19.06 cents in S. No. 330/5 all comprised in Division 198 T. S. No. 4 of 137 Velachery Village Mambalam Guindy Taluk presently Velachery Taluk Chennai District on Velacherry Tambaram main Road, together with right of way on the southern side in T.S.No.5 and half share in buildings constructed thereon and return the same.

Prayer in W.P.No.20626 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / Adayar / 20 / 2021 dated 26.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 26.07.2021 executed by the petitioner in respect of 1/3rd share in 4 Grounds and 644 Square feet in T. S. No. 90/7 Block No. 8 Adyar Village in D. NO. 130 Velacherry Road Chennai - 600 015 and 1/3rd share in the five floor buildings measuring a total extent of 19230 Square feet and return the same.



W.P.No.20630 of 2021 : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Refusal Slip Number - RFL / Pallavaram / 11 / 2021 dated 26.07.2021 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to receive and register the deed of revocation deed dated 26.07.2021 executed by the petitioner in respect of 1/3rd share of the land and building measuring an extent of 32 cents in S. No. 336/1B (Part) and comprised in Patta No. 1942 Keelkattalai Village Tambaram Taluk and 1/3rd share in land and building measuring an extent of 40 cents in S. No. 336/1B (part) in Keelkattalai Village Tambaram Taluk Kancheepuram District and return the same.

For the Appellant : Mr.K.Mohan
in all WA's for M/s.P.M.Sozendiran

For the Respondents : Mr.P.Muthukumar
in all WA's State Government Pleader

COMMON JUDGMENT
(Delivered by the Hon'ble Chief Justice)

By these writ appeals, a challenge is made to the order dated 09.11.2021, whereby a batch of writ petitions was decided by the learned Single Judge. The challenge in the writ petitions was to the denial of registration of the cancellation of settlement deeds when presented. The denial to register the cancellation of settlement deeds was on the ground that it did not contain the signature of all parties, but only one party, thus, it is unilateral cancellation of settlement deeds. The learned Single Judge did not find any illegality in the action of the respondents to deny registration of such documents.

2. Learned counsel for the appellant submitted that the settlement deeds were entered between the son and father and now the son died, thus, there was a need to cancel the settlement deeds by one party only, because the second party was not available. Therefore, a unilateral cancellation of settlement deeds should have been registered by the Sub-Registrar concerned.

3. The argument advanced by learned counsel for the appellant, on the stated facts, cannot be accepted contrary to the provision of law and if we lay down a proposition for registration of the cancellation of settlement deeds executed



unilaterally, it would apply to all situations, not permissible in law and, therefore, the learned Single Judge has rightly dismissed the writ petitions by passing a detailed order after referring to the facts as well as the provision of law. We do not find any error in the order of the learned Single Judge so as to cause interference in the order impugned herein.

4. The writ appeals fail and they are dismissed. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

bbr

To:

- 1.The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 600 004.
- 2.The Sub-Registrar,
Madhuranthagam, Kancheepuram District.
- 3.The Sub-Registrar,
Adyar, Chennai.
- 4.The Sub-Registrar,
Neelankarai, Chennai.
- 5.The Sub-Registrar,
Velachery, Chennai.
- 6.The Sub-Registrar,
Mylapore, Chennai-600 004.
- 7.The Sub-Registrar, Pallavaram, Chennai.
- 8.The Joint II Sub-Registrar,
Chennai Central,
Thousand Lights, Chennai.

+1cc to M/s.P.M.Sozendiran, Advocate SR.No.30017

+1cc to Government Pleader SR.No.29709

W.A.Nos.1076, 1078, 1083, 1090, 1097, 1081 and 1108 of 2022
AJS (CO)
GMY (10/05/2022)