



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.4557 OF 2022

Mrs.K.Rajamalli

... Petitioner

Vs.

1. The District Registrar,
District Registrar Office,
Tindivanam,
Villupuram District.

2. Govindasamy

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 30.09.2019 and direct the 1st respondent to cancel the settlement deed dated 12.02.2019, vide document No.162 of 2019, registered at Sathiyamangalam SRO executed by the second respondent in favour of his son.

For Petitioner : Mrs.S.Suseela Devi

For Respondents : Mr.Yogesh Kannadasan,
SGP for R1

O R D E R

The petitioner has filed this petition seeking to direct the first respondent to consider the petitioner's representation dated 30.09.2019 and direct the 1st respondent to cancel the settlement deed dated 12.02.2019, vide document No.162 of 2019, registered at Sathiyamangalam SRO executed by the second respondent in favour of his son.



2. The case of the petitioner is as follows:

(i) The petitioner's father-in-law executed a registered Will dated 19.03.1991, providing equal right and enjoyment to the properties situated at Valaiyasettikulam Village, Gingee Taluk, Tiruvannamalai District, in favour of the petitioner's husband and her brother-in-law, the second respondent herein. Thereafter, the petitioner's husband and the second respondent were in possession and enjoyment of the said properties. The husband of the petitioner died on 26.09.2015, leaving behind the petitioner, his son and daughter as his legal heirs.

(ii) According to the petitioner, the second respondent illegally obtained patta for the entire properties in favour of him and registered the said properties in favour of his son, causing detriment to the interest of the petitioner over the properties. In such circumstances, she submitted a representation dated 30.09.2019, to the Revenue authorities and Registration authorities for cancellation of Patta obtained illegally in favour of the second respondent and also cancellation of the settlement deed dated 12.02.2019, executed by the second respondent in favour of his son. Since no action was forthcoming from the authorities concerned, the petitioner is before this Court with the above prayer.

3. Heard, the learned counsel appearing for the petitioner, and the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

4. Considering the facts and circumstances of the case and the limited request made by the petitioner, this Court directs the first respondent to consider the representation made by the petitioner dated 30.09.2019 and pass orders on merits and in accordance with law, after affording necessary opportunity to the necessary parties, within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rli



To

The District Registrar,
District Registrar Office,
Tindivanam,
Villupuram District.

+1cc to M/s.S.Suseela Devi, Advocate, S.R.No.14553

+1cc to the Special Government Pleader, S.R.No.15530, 15502

W.P.No.4557 of 2022

SKM(CO)
RLP(13/04/2022)