



W.P. No.19704 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P. No.19704 of 2013
and M.P. No.1 of 2013

S.Peter Leonord

.. Petitioner

Vs.

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The District Registrar,
The district Registrar Office,
Virudhachalam Taluk,
Cuddalore.
3. The Sub-Registrar I,
Sub Registrar Office,
Virudhachalam Taluk,
Cuddalore.
4. The Most Backward and Monority Welfare Officer,
Cuddalore, Cuddalore District.
5. The Executive Engineer Buildings
(Construction and Maintenance) Division,
P.W.D. Department,
Cuddalore, Cuddalore District.



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6. A.Gnanamuthu

7. M.Chinnappan

8. Leo Charles

9. P.S.Pushparaj

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, seeking Writ of declaration to declare the gift deed dated 17.08.2011 registered as Book No.1 Document No.3743/2011 with the third respondent Sub Registrar – 1, Virudhachalam Taluk, Cuddalore District executed in favour of the fourth respondent as null and void.

For Petitioner : Mr. V.Subbarayan

For Respondents 1-5 : Mr. U.Bharanidharan
Additional Government Pleader

6-9 : Mr. C.Prakasam

ORDER

This Writ Petition has been filed seeking for a declaration to declare the gift deed dated 17.08.2011 executed in favour of the fourth respondent as null and void.



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2. The case of the petitioner is that the subject property was owned by him and it has been gifted to a local body by respondents 6 to 9 without any right or title over the property. Therefore, the petitioner seeks to declare the gift deed as null and void.

3. Heard Mr.V.Subbarayan, learned counsel for the petitioner, Mr.U.Bharanidharan, learned Additional Government Pleader appearing for respondents 1 to 5 and Mr.C.Prakasam, learned counsel appearing for respondents 6 to 9.

4. The nature of relief sought for by the petitioner cannot be granted in a Writ Petition. The law on this issue has been made very clear by the judgment of the Hon'ble Supreme Court in the case of *Satya Pal Anand Vs. State of Madhya Pradesh and others* reported in (2017) 1 CTC 414. Useful reference can also be made to the latest judgment of this Court in the case of *D.Sachidhanandam Vs. The Registrar / Inspector General of Registration & others* reported in (2022) 1 Writ L.R. 501 wherein this Court has held that a Writ Petition is not maintainable and only a civil suit can be filed by the aggrieved party.



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5. In the light of the above, this Court is not inclined to grant the relief as sought by the petitioner and accordingly this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.06.2022

Index :Yes/No
Speaking/Non speaking order
bkn

To

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N. ANAND VENKATESH, J.

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