



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.27557 OF 2021

S.N.Somesh Kumar

... Petitioner

.Vs.

The Sub-Registrar,
Royapuram,
T.H.Road,
Chennai - 600 021.

... Respondent

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to enter and register an entry in records Book I of the order passed by XII Assistant, City Civil Judge on 28.01.2010 in O.S.No.2049 of 2005, in respect of the property situated at Old No.31, New No.30, Thandavaraya Gramani Street, Chennai - 600 021, measuring 1,716 sq.feet comprised in R.S.No.3667/78, Block No.55, Corporation Division No.4, Tondiarpet Village, Fort Tondiarpet Village, Fort Tondiarpet, Chennai District.

For Petitioner : Mr.Kumarpal Chopra

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition is filed to issue a Writ of Mandamus to direct the respondent to enter and register an entry in records Book-I of the order passed by the learned XII Assistant Judge, City Civil Court, Chennai on 28.01.2010 in O.S.No.2049 of 2005, in respect of the property situated at Old No.31, New No.30, Thandavaraya Gramani Street, Chennai - 600 021, measuring an extent of 1,716 sq.feet, comprised in R.S.No.3667/78, Block



No.55, Corporation Division No.4, Tondiarpet Village, Fort Tondiarpet Village, Fort Tondiarpet, Chennai District.

2. The petitioner's mother settled a portion of the land and building comprised in R.S.No.3667/78 situated at Old.No.31, New No.30, Thandavaraya Gramani Street, Chennai - 600 021, ad-measuring an extent of 1,716 sq.feet in favour of the petitioner, by the registered settlement deed dated 11.08.1989, vide Document No.1257 of 1989. However, his mother cancelled the settlement deed unilaterally by the deed of cancellation of settlement registered as Document No.2754 of 2004. Therefore, it was challenged by the petitioner in O.S.No.2049 of 2005 on the file of XII Assistant City Civil Court, Chennai for declaration and the same was decreed in his favour by the judgment and decree dated 14.02.2006. Aggrieved by the same, his mother filed an Appeal Suit in A.S.No.417 of 2010 on the file of the I Additional City Civil Court, Chennai and it was dismissed on 24.09.2014. Even then, the encumbrance in respect of the subject property had shown the cancellation of settlement deed. Therefore, the petitioner made representation to the respondent to remove the encumbrance by entering the judgment and decree passed in O.S.No.2049 of 2005.

3. Considering the above facts and circumstances of the case, the respondent is directed to enter and register in records Book-I of the order passed by the learned XII Assistant Judge, City Civil Court, Chennai on 28.01.2010 in O.S.No.2049 of 2005, in respect of the property situated at Old No.31, New No.30, Thandavaraya Gramani Street, Chennai - 600 021, measuring an extent of 1,716 sq.feet comprised in R.S.No.3667/78, Block No.55, Corporation Division No.4, Tondiarpet Village, Fort Tondiarpet Village, Fort Tondiarpet, Chennai District, within a period of two weeks from the date of receipt of a copy of this order.

4. In the result, this Writ Petition is allowed as prayed for. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kv



To

The Sub-Registrar,
Royapuram, T.H.Road,
Chennai - 600 021.

WEB COPY

+1cc to Mr.Ramesh Kumar Chopra, Advocate, S.R.No.547
+1cc to the Government Pleader, S.R.No.671

W.P.NO.27557 OF 2021

KSM(CO)
PBS/21/01/2022