



WEB COPY



W.P.No.5573 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5573 of 2017

And

W.M.P.Nos.2266 of 2018 and 5930 of 2017

L.Amalraj

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Vellore District,
Velappadi,
Vellore – 1.

3.The Sub – Registrar,
O/o.The Registrar,
Thirupathur,
Vellore District.

4.Subramani

5.Urmila

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to annul the settlement deed dated 18.03.2015 registered as document No.2659 of



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2015 on the file of the third respondent and delete the entries in the encumbrance certificate and its records in respect of the same.

For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.E.Vijay Anand
Additional Government Pleader
R4 & R5 – No Appearance

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 to 3 to annul the settlement deed dated 18.03.2015 registered as document No.2659 of 2015 on the file of the third respondent and delete the entries in the encumbrance certificate and its records in respect of the same.

2.The learned counsel appearing for the petitioner submitted that though the petitioner has filed this writ petition seeking to annul the settlement deed dated 18.03.2015 registered as document No.2659 of 2015, already the petitioner has instituted suit in O.S.No.42 of 2015 before the District Munsif Court, Thirupathur, for declaration to declare that the settlement deed dated 18.03.2015 registered as document No.2659 of 2015 is null and void and the fifth



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respondent has filed suit in O.S.No.178 of 2015 before the District Munsif Court, Thirupathur, for declaration of title and the same are pending. Hence, this Court may dispose of this writ petition by granting liberty to the petitioner as well as the private respondents to work out the remedy before the civil Court where civil suits are pending.

3.Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, grants liberty to the petitioner as well as the private respondents to work out the remedy before the civil Court where civil suits are pending.

4.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

14.11.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

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M.DHANDAPANI,J.
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To

- 1.The Inspector General of Registration,
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