



REV.Appln.W.No.17 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2022

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Rev. Application Writ No(MD).17 of 2022
and
W.M.P.(MD).No.3782 of 2022

A.Azhagesan

... Petitioner

Versus

1.Minor A.V.Gopinath,
Rep by his mother A.Vellaiammal @ Selvi,

2.The Inspector General of Registration,
No.100, Santhom High Road,
Pattinampakkam,
Chennai – 600 028.

3.The District Registrar (Administration),
Karaikudi, Sivagangai District.

4.The Sub Registrar,
Ponnamaravathy,
Pudukkottai District.

... Respondents

Prayer: The Review Application filed under Order XLVII Rule 1 and 2 read with Section 114 of the Code of Civil Procedure, seeking to review the order passed in W.P.(MD).No.8072/2016 dated 24.11.2021 on the file of this Court by allowing the present review application.



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For Petitioner : Mr.P.Gunasekaran
For R1 : Mr.M.Sankaralingam

ORDER

The 4th respondent in W.P.(MD).No.8072 of 2016 which had been disposed of by an order dated 24.11.2021, is the review petitioner herein.

2.The review petitioner/4th respondent is the father of the writ petitioner. The writ petitioner was a minor who was represented by his mother. As on date, it is stated that the writ petitioner has attained the age of majority.

3.The present review petitioner had executed a Settlement Deed on 17.08.2012, in favour of the writ petitioner, when the writ petitioner was a minor aged about 11 years. The said Settlement Deed had been registered as Doc.No.1834/2012 in the Office of the 4th respondent herein /The Sub Registrar, Ponnamaravathi, Pudukkottai District. Thereafter, owing to



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various circumstances, he unilaterally cancelled the said Settlement Deed, on 14.03.2014, which document had also been registered by the very same Sub Registrar /4th respondent herein.

4. The writ petition has been filed to strike off the registration of the Cancellation Deed in Doc.No.734/2014, dated 14.03.2014, holding that the unilateral cancellation of the said Settlement Deed is lawfully not valid.

5. This Court had issued such mandamus.

6. The review petitioner claims that he was not heard before the writ petition was ordered and it is also stated that there was a fraud played necessitating cancellation of the Settlement Deed and it is stated that when there is an allegation of fraud, there are Judgments of the Hon'ble Supreme Court, which states that the Settlement Deed can be cancelled.

7. However, the scope of review is very narrow. Under Order 47 of the Code of Civil Procedure, if the review petitioner wants to putforth an argument which has to be heard by the Court then it would not be the



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subject matter of the review but rather of an appeal.

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8. The main grievance probably is that the review petitioner was not heard prior to the passing of the order in the Writ Petition, but that cannot be a ground on which a review would lie.

9. I am not impressed with the grounds stated in the review petition. The same is liable to be dismissed.

10. In view of the reason above stated, the Review Application is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

14.07.2022

ssi

Index: Yes/No

Speaking Order : Yes/No

Note: Issue order copy on 22.07.2022.



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C.V.KARTHIKEYAN,J.,

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