



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7691 of 2022

R.Kannan

... Petitioner

**Vs.**

1.The Inspector General of Registration,  
Registration Department,  
No.100, Santhom High Road,  
Chennai - 600 028.

2.The Deputy Inspector General of Registration,  
Registration Department,  
Palayamkottai,  
Tirunelveli District.

3.The District Registrar,  
Registration Department,  
SLP School Backside,  
Nagercoil Post,  
Nagercoil,  
Kanyakumari District.

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to cancel all the settlement deeds in Document Nos.1975/2010, 1976/2010, 1977/2010 dated 03.06.2010 which was registered before the third respondent and considering the petitioner's representation dated 07.03.2022.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.S.Shanmugavel,  
Additional Government Pleader.

**ORDER**

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to cancel the settlement deeds bearing Document Nos.1975/2010, 1976/2010 and 1977/2010, all dated 03.06.2010, which were registered by the third respondent, by considering the petitioner's representation dated 07.03.2022 within a time frame to be fixed by this Court.

2. According to the petitioner, based on forged parent documents which were already cancelled, the petitioner's sisters



created the aforementioned settlement deeds which are fraudulent. In such circumstances, the petitioner has given a representation on 07.03.2022 seeking for cancellation of the aforementioned documents. Since the said representation has not been considered till date, he has filed this Writ Petition.

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3. Heard Mr.S.Ramasamy, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. The learned Additional Government Pleader appearing for the respondents, at the outset, would submit that the document numbers mentioned in the petitioner's representation dated 07.03.2022 are different from the document numbers mentioned in the prayer column of the Writ Petition and therefore, he would submit that a fresh representation will have to be given by the petitioner. Learned counsel for the petitioner also agrees to the same.

5. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to all the parties concerned.

6. As seen from the affidavit filed in support of the Writ Petition, the petitioner and his sisters are having dispute over the execution of certain documents, namely, settlement deeds. The petitioner has obtained a settlement deed executed in his favour. Similarly, his sisters have also obtained settlement deeds executed in their favour. The said settlement deeds were executed by their mother. Both sides have cancelled the documents. According to the petitioner, his sisters, based on fraudulent documents, have executed three settlement deeds bearing Document Nos. 1975/2010, 1976/2010 and 1977/2010, all dated 03.06.2010. The petitioner seeks for cancellation of those documents, as according to him, they are fraudulently registered documents.

7. No prejudice would be caused to the respondents, if a full fledged enquiry is conducted by the respondents after hearing all the necessary parties.

8. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the third respondent seeking for cancellation of the settlement deeds registered as Document Nos.1975/2010, 1976/2010 and 1977/2010, all dated 03.06.2010, within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of the said representation, the third respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and his sisters and any other necessary party, whom the third respondent deems fit to enquire, within a period of three (3) months thereafter.



9. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Admin I)

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/ /2022  
Sub Assistant Registrar(CS)

Lm

To

- 1.The Inspector General of Registration,  
Registration Department,  
No.100, Santhom High Road,  
Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,  
Registration Department,  
Palayamkottai,  
Tirunelveli District.
- 3.The District Registrar,  
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SLP School Backside,  
Nagercoil Post,  
Nagercoil,  
Kanyakumari District.

+1 CC to M/s.SPL.GP. ( SR-21155[F] dated 26/04/2022 )

**W.P. (MD) .No.7691 of 2022**  
**22.04.2022**

MGJ(13.05.2022) 3P 5C