



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.8753 of 2022

P.Sumathi

... Petitioner

vs.

1.The District Registrar,
Office of the District Registrar,
Dindigul District, Dindigul.

2.The Sub Registrar,
Nagalnaickenpatti Sub Registrar Office,
Dingiuлд District.

3.S.Singarayar

4.Anthonimalar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to cancel the fraudulent Gift Settlement deed, dated 12.02.2018, registered with the 2nd respondent SR, Nagalnaickenpatti, as Document No.778 of 2018 by considering the petitioner's representation 18.01.2022 in the light of the Circular Letter No.41530/U1/2017, dated 08.11.2017 issued by the Inspector General of registration, Chennai and pass order in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.P.Manikandan

For R1 and R2 : Mr.S.Shanmugavel

Additional Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 and 2 to cancel the alleged fraudulent gift deed, dated 12.02.2018 registered with the second respondent as Doc.No/778/2018, dated 12.02.2018, by considering the petitioner's representation, dated 18.01.2022 within a time frame to be fixed by this Court.

2.The petitioner has given a representation to the official respondents to cancel the gift deed, dated 12.02.2018 referred to supra, on the ground that the gift deed is a fraudulent document. According to the petitioner, she is the absolute owner of the property, which is the subject matter of the gift deed, dated 12.02.2018 executed by third respondent in favour of the fourth respondent.



3.The petitioner has filed documents along with this Writ Petition to substantiate her case. It is for the official respondents to consider the same after affording a fair hearing to the petitioner and the respondents 3 and 4 and any other necessary party whom the first respondent deems fit to enquire.

4.For the foregoing reasons, this Court directs the first respondent to consider the representation of the petitioner, dated 18.01.2022 seeking for cancellation of the gift deed, dated 12.02.2018 registered as Doc.No.778/2018 and pass final orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and the respondents 3 and 4 and any other necessary party whom the first respondent deems fit to enquire.

5.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Registrar,
Office of the District Registrar,
Dindigul District, Dindigul.

2.The Sub Registrar,
Nagalnaickenpatti Sub Registrar Office,
Dingiu District.

Copy to
The Inspector General of Registration,
Chennai.

+1 CC to M/s.SPL.GP (SR-23347[F] dated 04/05/2022)

Order made in
W.P. (MD)No.8753 of 2022
29.04.2022

RS (25.05.2022) 2P-5C