



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.11096 of 2022
and
W.M.P. (MD) No.7951 of 2022

D.Muthu Rama Chandramurthy

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Registrar,
District Registrar Office,
Palani, Dindigul District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Palani, Dindigul District.

4.The Sub-Registrar,
Sub-Registrar Office,
Keeranoor, Palani Taluk,
Dindigul District.

5.K.Ponnusamy

6.Thilagavathi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent/ the District Registrar, Palani, Dindigul District to cancel the settlement deed executed by the 5th respondent in favour of the 6th respondent in document No.526/2022 dated 01.03.2022 before the 4th respondent as per the petitioner's representation dated 07.03.2022.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.J.K.Jeyaselan,
Government Advocate for R1 to R4.



ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents 1 to 4.

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2.The case of the petitioner is that he entered into a sale agreement with the fifth respondent for purchasing the property in question. It is stated that the fifth respondent had executed a settlement deed in favour of his wife namely, the sixth respondent herein. The petitioner wants the said document to be cancelled.

3.The Hon'ble Supreme Court in the decision reported in **2017 (1) CTC 414 (Satya Pal Anand Vs State of M.P and Others)** held that a document once registered, it cannot be cancelled. In the case on hand, the petitioner filed a suit in O.S.No.27 of 2022 before the District Court, Dindigul and the same was transferred and renumbered as O.S.No.32 of 2022 on the file of the Additional District Court, Palani. The subject mentioned transaction will of course abide by the outcome of the civil suit. Therefore, I direct the learned Additional District Judge, Palani to dispose of O.S.No.32 of 2022 on merits and in accordance with law within a period of twelve months from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

4.Relegating the petitioner to pursue his remedy in the said civil suit, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

ias

To:

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Registrar,
District Registrar Office,
Palani, Dindigul District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Revenue Divisional Officer,
Revenue Divisional Office,
Palani, Dindigul District.

4.The Sub-Registrar,
Sub-Registrar Office,
Keeranoor, Palani Taluk,
Dindigul District.

COPY TO:

The Additional District Judge,
Palani

+1 CC to M/s.D.VENKATESH, Advocate (SR-25032[F] dated 10/06/2022)

+1 CC to M/s.SPL.GP (SR-25107[F] dated 10/06/2022)

W.P (MD) No.11096 of 2022
09.06.2022

PKP/20.06.2022/3P/8C