



W.P(MD)No.17442 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17442 of 2015

and

M.P(MD)No.1 of 2015

K.P.S.Abdul Azeez

... Petitioner

Vs.

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

2.The District Registrar (Administration),
Dindigul.

3.The Sub Registrar,
Attur,
Dindigul District.

4.Chella Marakkayar

... 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 1 to 3 to strike off the registration of document bearing No. 713/2015, dated 18.06.2015 on the file of the third respondent.



WEB COPY



W.P(MD)No.17442 of 2015

For Petitioner : M/s.M.Saravanan
For R-1 to R-3 : M/s.K.S.Selvaganesan
Additional Government Pleader
For R-4 : M/s.K.Mahendran

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents 1 to 3 to strike off the registration of documents bearing No.713/2015, dated 18.06.2015.

2. According to the learned Counsel for the petitioner, the fourth respondent has executed a registered settlement deed in his favour on 27.10.2014 under Document No.1193/2014. Pursuant to the said settlement deed, the petitioner got mutated the revenue records in his favour. However, unilaterally he cancelled the said document on 18.06.2015. Hence, he has sought for a Mandamus to strike off the said cancellation deed.

3. A perusal of the settlement deed, dated 27.10.2014, indicates that the settlor has not reserved any right to revoke the gift deed. A further perusal reveals that no conditions have been imposed upon the



W.P(MD)No.17442 of 2015

writ petitioner for the execution of the said settlement deed.

WEB COPY

4. In view of the Hon'ble Full Bench of this Court in a judgment reported in **2022 (5) CTC page 257** has held that, the Sub-Registrar will not have any jurisdiction to entertain a document, under which, already executed settlement deed is unilaterally cancelled, especially when there is no clause or recital in the original settlement deed for cancellation of the document. The third respondent is directed to delete the entry relating to registration of document No.713/2015, dated 18.06.2015.

5. In view of the Hon'ble Full Bench judgment, the writ petition stands allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

13.10.2022

Index : Yes / No
Internet : Yes / No
btr



W.P(MD)No.17442 of 2015

WEB COPY

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam,
Chennai-600 028.
- 2.The District Registrar (Administration),
Dindigul.
- 3.The Sub Registrar,
Attur,
Dindigul District.



WEB COPY



W.P(MD)No.17442 of 2015

R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.17442 of 2015

13.10.2022