



W.P.(MD)No.3784 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3784 of 2017

and

W.M.P(MD)No.3003 of 2017

J.Rajalakshmi

... Petitioner

Vs

1.The Sub Registrar,
Sub Registrar Office,
Kovilpatti,
Tuticorin District.

2.A.Sekar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Registration of the Impugned Gift Settlement Cancellation deed dated 27.03.2013 vide document No.3300/2013 on the file of the first respondent herein and quash the same and consequently directing the first respondent to delete the said entry from his file and devoid of merits.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.J.K.Jeyaselan
Government Advocate for R.1

Mr.S.Ramasamy for R.2



W.P.(MD)No.3784 of 2017

WEB COPY

ORDER

Heard the learned counsel on either side.

2. The writ petitioner and the second respondent are wife and husband. Their marital relationship came under strain. That led to institution of divorce proceedings. The matter was compromised before the Lok Adalat. Even before the closure of the divorce OP, the second respondent executed a settlement deed dated 11.08.2011 before the first respondent vide Document No.9130 of 2011. This settlement deed was unilaterally cancelled on 27.03.2013 (Document No. 3300 of 2013). Challenging the registration of the cancellation deed, this writ petition has been filed. It is well settled that such unilateral cancellation is impermissible.

3. The learned counsel for the petitioner draws my attention to the decision of Hon'ble Full Bench judgment in W.A.Nos. 592 & 938 of 2009 (*M/s.Latif Estate Line India Limited Vs Mrs.Hadeeja Ammal*) dated 11.02.2011.



W.P.(MD)No.3784 of 2017

4. Respectfully applying the said ratio, the registration of the impugned Gift Settlement Cancellation deed is quashed. This Writ petition is allowed.

Consequently, connected miscellaneous petition is closed. No costs.

30.06.2022

Index : Yes / No
Internet : Yes/ No
mga

To

- 1.The Principal Secretary to Government,
Highways and Minor Ports Department,
St.George Fort,
Chennai – 9.
- 2.The District Collector,
Karur District,
Karur.
- 3.The Chief Engineer,
Construction and Maintenance,
Highways Department,
Chennai – 5.
- 4.The Superintending Engineer,
Construction and Maintenance,
Highways Department,
Thiruppur.
- 5.The Divisional Engineer,
Construction and Maintenance,
Highways Department,
Karur.



WEB COPY



W.P.(MD)No.3784 of 2017

G.R.SWAMINATHAN, J.

mga

- 6.The District Revenue Officer,
Karur.
- 7.The Special Tahsildar (Land Acquisition),
Ring Road Unit-I,
Karur.
- 8.The Special Tahsildar (Land Acquisition),
Ring Road Unit-II,
Karur.

W.P(MD)No.3784 of 2017

30.06.2022