



WEB COPY

WP No.1579 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.1579 of 2022

And

WMP No.1704 of 2022

1.Sangeetha

2.Soniya @ Sowmiya

3.Suji

... Petitioners

Vs.

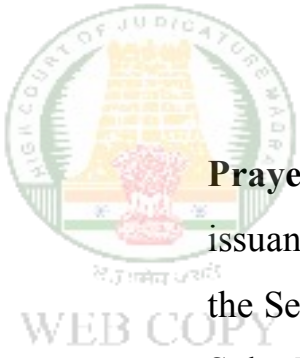
1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.

2.The District Registrar,
Office of the District Registrar,
Kancheepuram.

3.The Sub Registrar,
Office of the Sub Registrar,
Thiruvallur.

4.Santhanam

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to cancel the Settlement Deeds vide Document Nos.636 and 637 of 2018 on the file of Sub Registrar, Tiruvallur and restore the properties to the original possession.

For Petitioners : Mr.K.Balakrishnan for
Mr.D.Ashok Kumar

For Respondents-1 to 3 : Mr.E.Sundaram,
Government Advocate.

For Respondent-4 : Mr.K.Subburam

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to cancel the Settlement Deeds vide Document Nos.636 and 637 of 2018 on the file of Sub Registrar, Tiruvallur and restore the properties to the original possession.

2. The relief as such sought for in the present writ petition is to direct the respondents 1 to 3 to cancel the Settlement Deed, cannot be granted in the writ proceedings under Article 226 of the Constitution of India.



3. If at all the Deed of Settlement is fraudulent or impersonated, the petitioners have got two options either to approach the District Registrar under Section 77-A of the Registration Act or to approach the Competent Civil Court of Law for seeking the relief of declaration.

4. Contrarily, the High Court in writ proceedings cannot conduct an adjudication with reference to the validity of the Settlement Deed executed otherwise in consonance with the provisions of the Act. Thus the petitioners are at liberty to approach the Competent Authority in the manner known to law.

5. With the above observations, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

04-08-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



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To

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S.M.SUBRAMANIAM, J.

Svn

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