



W.P(MD)No.75 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.75 of 2023

Komalavalli

Vs.

... Petitioner

- 1.The District Registrar,
Office of the District Registrar,
Thanjavur District.
- 2.The Joint Registrar No.1,
Office of the Sub Registrar Office,
Kumbakonam.
- 3.Prema
- 4.Rajkumar
- 5.Ramuammal @ Ramamirtham

... 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 first and second respondents to cancel the two documents in Document Nos.3071 of 2014 and 3072 of 2014 registered on 15.07.2014 on the file of the second respondent herein and remove their names from the encumbrance register also based on the petitioner's representation dated 04.11.2022 within a time stipulated by this Court.



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For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mr.N.Satheeskumar
Additional Government Pleader for R1 & R2
: Mr.E.Balasubramanian for R3 & R4
: Mr.B.Anandan for R5

ORDER

Heard the learned counsel on either side.

2. The petitioner's mother Ramuammal @ Ramamritham executed a settlement deed in favour of the petitioner on 04.12.2013. That was unilaterally cancelled by her on 19.03.2014. Challenging the unilateral cancellation, the petitioner filed W.P.(MD)No.14763 of 2014. The said writ petition was allowed on 12.09.2022. Thereafter, the petitioner came to know that the fifth respondent had executed two more settlement deeds in respect of the very same property. Seeking cancellation of the subsequent documents, the present writ petition came to be filed.

3. However, the petitioner's rights can be adequately protected by directing the second respondent to register the order dated 12.09.2022 made in W.P.(MD)No.14763 of 2014. This shall be done immediately and without any delay. The petitioner is permitted to submit formal application in this regard and the second respondent shall forthwith register the same.



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4. The Writ Petition is disposed of accordingly. No costs.

15.02.2023

Index : Yes / No

Internet : Yes/ No

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To

- 1.The District Registrar,
Office of the District Registrar,
Thanjavur District.
- 2.The Joint Registrar No.1,
Office of the Sub Registrar Office,
Kumbakonam.



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G.R.SWAMINATHAN, J.

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