



W.P.(MD)No.11499 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.11499 of 2021

S.Shanmugam

... Petitioner

Vs.

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

2.The District Collector,
Pudukottai District, Pudukottai.

3.The District Registration Officer,
District Registration Office,
Pudukottai, Pudukottai District.

4.The Sub-Register Officer
Sub-Register Office, Meemesal Post,
Pudukottai District.

5.M.Maheswaran

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to cancel the Dhana settlement deed document vide Document No. 248/2021 dated 05.04.2021 having patta Nos. 426, 1378, 1424 at Parayathur Group



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Mathavanenthal Village, Meemesal Sub Division, Karaikudi, Pudukottai District and appropriate action taken to the 5th respondent is acting with the intention of expropriating our hereditary property based on the representation made to 1st to 4th respondent through registered post on 29.06.2021 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.B.Sathesh Kumar

For Respondents : Mr.A.K.Manikkam,
Special Government Pleader
(For R-1 to R-4)

ORDER

This writ petition has been filed for the issue of writ of mandamus directing respondent Nos.1 to 4 to consider the representation made by the petitioner on 29.06.2021 and to seek cancellation of the settlement deed executed in favour of the fifth respondent.

2. The grievance of the petitioner is that the property belongs to him and it was purchased in the name of the father with the funds that were provided by the petitioner. However, the father of the petitioner had illegally settled the property in favour of the fifth respondent. This settlement deed was also registered as Document No.248 of 2021. The petitioner wants this document to be cancelled by virtue of the representation made to the respondents.



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3. In the considered view of this Court, the ground that has been raised by the petitioner seeking for cancellation before the District Registrar, is un-sustainable. Admittedly, the property stood in the name of the father and that has been settled by the father in favour of the fifth respondent. If according to the petitioner, he only provided the funds, the petitioner has to work out his remedy only before the competent Civil Court. Except giving this clarity, no further orders can be passed in this writ petition.

4. Accordingly, this writ petition stands dismissed. No costs

18.10.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

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

2.The District Collector,
Pudukottai District, Pudukottai.



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3.The District Registration Officer,
District Registration Office,
Pudukottai, Pudukottai District.

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