



W.P.(MD)No.18441 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18441 of 2021

and

W.M.P.(MD).Nos.15223 & 15224 of 2021

K.A.Mohamed Ibrahim

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai-600 028.
- 2.The District Registrar (Administration),
Registration Department,
Tenkasi District,
Tenkasi.
- 3.The Sub Registrar,
Sub Registrar Office,
Kadayanallur,
Tenkasi District.
- 4.K.M.Abdul Alim
- 5.Ramzanbeevi



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6.Salamathbegam

7.Asan Fathima

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of certiorarified mandamus, calling for the records relating to the impugned order passed by the 3rd respondent in his proceedings in Lr.No.224/2021 dated 15.09.2021 and quash the same and to direct the 3rd respondent to cancel the settlement deed (Document No. 3046/2021 dated 19.08.2021) executed in favour of the respondents No.5 to 7.

For Petitioner : Mr.K.Vadivelu

For R-1 to R-3 : Mr.A.K.Manikkam,
Special Government Pleader

For R-4 to R-7 : Mr.C.Saravanakumar

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the third respondent dated 15.09.2021 and for a consequential direction to the third respondent to cancel the settlement deed dated 19.08.2021 that was executed by the father of the petitioner in favour of respondent Nos.5 to 7.



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2. Heard the learned counsel on either side.

3. In the instant case, the father of the petitioner, viz., the fourth respondent had executed a settlement deed in favour of respondent Nos.5 to 7 and settled the subject property. The petitioner being the son questioned this settlement deed on the ground that respondent Nos.5 to 7 had an undue influence over the father and thereby, managed to get the property settled in their favour. Therefore, the petitioner made a representation before the third respondent to cancel the document. Since the same was rejected through impugned letter dated 15.09.2021, the same has been put to challenge in this Writ Petition.

4. In the considered view of this Court, the third respondent did not have the power or jurisdiction to cancel the settlement deed that was executed by the fourth respondent in favour of respondent Nos.5 to 7. If the petitioner is aggrieved by the settlement deed and if according to the petitioner, the settlement deed is vitiated due to any reason, the petitioner must only work out his remedy before the competent Civil Court and seek for appropriate reliefs. The third respondent cannot entertain any such



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request and pass orders. There is no illegality in the impugned letter issued by the third respondent and it does not require the interference of this Court. Liberty is granted to the petitioner to work out his remedy before the competent Civil Court.

5. This Writ Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

21.12.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

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

2.The District Registrar (Administration),
Registration Department,
Tenkasi District,
Tenkasi,

3.The Sub Registrar,
Sub Registrar Office,
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N.ANAND VENKATESH, J.

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