



W.P.(MD)No.17677 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.17677 of 2023

and

W.M.P.(MD)No.14771 of 2023

Dr.G.Sakthivel Raja

... Petitioner

versus

1. The District Registrar,
Ariyalur,
Ariyalur District.

2. The Sub Registrar,
Lalgudi,
Trichy District.

3. G.Angammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 1st respondent to take appropriate action as against the 2nd and 3rd respondents for unilateral cancellation of settlement dated 27.12.2011 by cancellation deed dated 12.04.2016 based on the request of the petitioner dated 12.07.2023.



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For Petitioner : Mr.S.C.Herold Singh

For R1 and R2 : Ms.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The petitioner claims that the land in Survey No.161/6A, to an extent of 0.86 cents, situated at Manakkal (West) Village, Trichy District, belonged to his mother one Angammal, 3rd respondent herein, who has executed a Settlement Deed in his favour on 27.12.2011 by a registered Document No.1466/2011 before the second respondent Office. However, on 12.04.2016, the 3rd respondent, without any notice to the petitioner, has cancelled the settlement deed dated 27.12.2011.

2. The learned counsel appearing for the petitioner submits that the petitioner was not aware of the cancellation deed of the year 2016 and there is no specific condition in the above settlement deed. In the absence of any specific conditions and without ascertaining as to



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whether there is any violation of that condition, the 3rd respondent has unilaterally cancelled the Settlement Deed dated 27.12.2011.

Therefore, the petitioner has submitted a representation to the first respondent/the District Registrar, Ariyalur, to conduct an enquiry and to cancel the earlier document of the year 2016, which was cancelled the settlement deed dated 27.12.2011, without any authority.

3. Ms.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for the official respondents, submits that the petitioner has submitted his representation only on 12.07.2023 and has filed this writ petition on 18.07.2023, even before his application reached the first respondent.

4. This Court considered the rival submissions.

5. The petitioner has submitted an application on 12.07.2023 and has filed this writ petition within a week. Therefore, this Court is not



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inclined to entertain this writ petition.

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6. At this juncture, the learned counsel appearing for the petitioner submits that the petitioner apprehends further encumbrance on the property and therefore, he has immediately approached this Court for early disposal of his representation dated 12.07.2023.

7. Considering the submission made by the learned counsel for the petitioner, this writ petition is disposed of with a direction to the first respondent to dispose of the petitioner's representation dated 12.07.2023, as expeditiously as possible, preferably, within a period of 12 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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