



W.P.(MD)No.19657 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.19657 of 2020

Ramalingam

.. Petitioner

Versus

1.The Inspector General of Registration,
80, Santhom Highways Road,
Chennai.

2.The District Registrar,
Karur District.

3.The No.1 Joint Sub Registrar,
No 1 Joint Sub Registrar Office, Karur,
Karur District.

4.K.Palanichamy

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider petitioner's representation, dated 25.02.2020, to cancel the documents in Doc.No1813 of 2010, dated 28.09.2010, as per circular issued by the first respondent in No.41530/E1/2017, dated 09.04.2018, in connection with property situated at Palammalpuram Village, Karur Taluk, Karur District, having Survey No.99, to an extent of 1 acre 33 cents.

For Petitioner : Mr.R.Selvaraj

For R1 to R3 : Ms.D.Farjana Ghoushia
Special Government Pleader



W.P.(MD)No.19657 of 2020

WEB COPY

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider the representation made by the petitioner on 25.02.2020, wherein the petitioner is seeking for the cancellation of the document, registered as Document No.1813 of 2010, dated 28.09.2010, relating to the subject property.

2. The petitioner and the fourth respondent are brothers. Their father had executed a settlement deed in favour of the fourth respondent. According to the petitioner, this settlement deed has been grabbed from the father by the fourth respondent through undue influence and it is a fraudulent document and therefore, the petitioner wanted the document to be cancelled. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. The ground on which the petitioner is seeking for the cancellation of the document cannot be dealt with by the registration authority. According to the petitioner, if the settlement deed executed in favour of his brother namely, the fourth respondent is vitiated due to undue influence or coercion, it is a matter to be agitated only before the competent Civil Court and it cannot be dealt with by the registration authorities. Therefore, liberty is given to the petitioner to work out his remedy before the competent Civil Court.



W.P.(MD)No.19657 of 2020

WEB COPY

4. This Writ Petition is disposed of in the above terms. No costs.

NCC : Yes/No
Index : Yes/No
smn2

09.10.2023

To

1.The Inspector General of Registration,
80, Santhom Highways Road,
Chennai.

2.The District Registrar,
Karur District.

3.The No.1 Joint Sub Registrar,
No 1 Joint Sub Registrar Office, Karur,
Karur District.



WEB COPY



W.P.(MD)No.19657 of 2020

N.ANAND VENKATESH, J.

smn2

W.P.(MD) No.19657 of 2020

09.10.2023