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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.08.2023**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD)No.1416 of 2014

and

M.P.(MD)No.1 of 2014

1.The Inspector General of Registration,
Santhome, Chennai-4.

2.The Joint Sub Registrar-1,
Nagercoil,
Kanyakumari District.

3.The District Registrar,
Nagercoil,
Kanyakumari District.

...Appellants

/Vs./

1.C.R.Gandhi
2.Puhazh Gandhi.P
3.Malar G.P.
4.Priya G.P.
5.R.Gomathi Ammal

...Respondents



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PRAYER:- Writ Appeal - filed under Clause 15 of Letters Patent Act, to allow the writ appeal by setting aside the order dated 04.07.2014 passed in W.P.(MD)No.121 of 2013 on the file of this Court.

For Appellants : Mr.S.Shaji Bino
Special Government Pleader
For R1, R3 & R4 : Mr.Georse Paul Anto
for Mr.G.Kannan
For R2 & R5 : No Appearance

JUDGMENT

(Judgment of the Court was delivered by **R.VIJAYAKUMAR, J.**)

The present appeal has been filed by the State challenging the allowing of the writ petition, wherein unilateral cancellation of the settlement deed was set aside.

2.The writ petitioners have filed writ petition seeking to quash the registration of the documents No.4921 /2011 dated 15.12.2011 on the file of the Joint Sub Registrar I, Nagercoil, Kanyakumari District on the ground that the fourth respondent in the writ petition, having executed



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the settlement deed under document No.3128/2011, dated 22.07.2011 had unilaterally cancelled the same under the impugned document. The learned single Judge was pleased to allow the Writ Petition and had set aside the registration of the cancellation deed.

3.The Full Bench of this Court in *Sasikala and others vs. Revenue Divisional Officer cum Sub Collector, Devakottai, Sivagangai District and others* [(2022) 7 MLJ 1] has held that the Sub Registrar has no jurisdiction to entertain such unilateral cancellation deeds. Therefore, we do not find any merit in this writ appeal and same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[A.S.M.J.] & [R.V.J.]
01.08.2023
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NCC :Yes/No
Index :Yes/No
Internet :Yes
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DR.ANITA SUMANTH, J.
AND
R.VIJAYAKUMAR, J.

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Order made in
W.A.(MD)No.1416 of 2014

Dated:
01.08.2023
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