



W.P(MD)No.13897 of 2015

=-BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13897 of 2015
and
M.P.(MD)Nos.1 and 2 of 2015

R.Kaliammai

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pathinapakam, Chennai 28.

2.The Sub Registrar II,
O/o.the Registrar,
Sivagangai II,
Sivagangai District.

3.Arumugam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the registration of the cancellation of the Settlement Deed executed by the 3rd respondent dated 02.01.2015 registered as



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Document No.4/2015 on the file of the 2nd respondent and quash the same as illegal.

For Petitioner : Ms.Jasima Yasmin,
For M/s.Ajmal Associates.

For Respondents : Mr.S.Shanmugavel,
Addl. Government Pleader for R1 & R2.
No appearance for R3.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the official respondents. The third respondent has been served but he has not chosen to enter appearance.

2.The petitioner is none other than the sister of the third respondent. The third respondent executed settlement deed in favour of the petitioner on 27.10.2014. This settlement deed was unilaterally cancelled by the third respondent on 02.01.2015. It was also registered by the second respondent. Challenging the same, the present writ petition came to be filed.



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3.It has been held in several cases that unilateral cancellation is impermissible in law. In any event, the second respondent could not have registered the same. Registration of the impugned unilateral cancellation deed is set aside. The writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

19.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pathinapakam, Chennai 28.
- 2.The Sub Registrar II,
O/o.the Registrar,
Sivagangai II,
Sivagangai District.



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