



W.P.(MD)No.8550 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.8550 of 2016

and

M.P.(MD).No.6868 of 2016

M.Mareeswari @ Jemimah

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 28.

2.The Sub Registrar,
Sub-Registrar Office,
Peraiyur, Madurai District.

3.T.Subbulakshmi

4.T.Arun Kumar

5.T.Archana

6.Mrs.A.Renganayaki

7.Mr.M.Bosemani

8.Mrs.M.Srirangam

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9.Mrs.M.Lakshmi

10.Mrs.M.Pandeeswari

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the cancellation of gift deed dated 18.11.2010 in Doc.No. 6286 of 2010 on the file of the 1st respondent and quash the same as illegal and unconstitutional and consequently directing the 1st respondent to delete the entries with regard to the said document from “A” Register maintained by the 1st respondent.

For Petitioner :Mr.VS.Karthi

For Respondents :Mr.S.Shanmugavel
Additional Government Pleader for R1 & R2
:Mr.P.Mahendran for R6
:No appearance for R8 & R9

ORDER

The writ petition has been filed challenging the unilateral cancellation of a settlement deed. The alleged unilateral cancellation had taken place on 18.11.2010, which was registered bearing document No.6286 of 2010 on the file of the 2nd respondent herein.



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2. The learned counsel for the petitioner brought to the notice of this Court that he had already filed a suit in O.S.No.210 of 2016, on the file of the Sub Judge, Thirumangalam, Madurai District, seeking for a relief of declaration to declare the impugned settlement cancellation of the impugned settlement deed dated 18.11.2010 as null and void and also for further reliefs.

3. It is also brought to the notice of this Court that the said suit trial has already begun and the examination of the plaintiff is over and awaiting the cross examination by the Defendants.

4. In the light of the aforesaid facts, I am of the view that no further adjudication is required to be made in this writ petition, as I do not want to traverse on the merits, which includes disputed question of facts.



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5. In view of the aforesaid reasoning, the writ petition is closed with the liberty to the parties to redress their grievances in the pending suit in O.S.No.210 of 2016, on the file of the Sub Judge, Thirumangalam, Madurai District. No costs. Consequently, connected miscellaneous petition is also closed.

19.01.2023

Index : Yes / No
Speaking Order/Non Speaking Order
sbm

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai 28.
- 2.The Sub Registrar,
Sub-Registrar Office,
Peraiyur, Madurai District.



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K.KUMARESH BABU, J.

sbn

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