



W.P(MD)No.28952 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28952 of 2023

I.Muthuvali

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivakasi Revenue Divisional Office,
Sivakasi,
Virudhunagar District.

2.Chellapandian

3.Karthickrajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 31.08.2023 and to cancel the settlement deed executed by the 2nd respondent in favour of the 3rd respondent in Document No. 3066 of 2023 dated 08.05.2023 on the file of Sub-Registrar, Thiruthangal within a time stipulated by this Court.

For Petitioner : Mr.M.Ramkumar

For Respondents : Mr.S.Ra.Ramachandran
Additional Government Pleader for R1



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ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent. Issuance of notice to R2 & R3 is dispensed with.

2. The petitioner had executed the deed of settlement in favour of the third respondent. He now wants to cancel the same. It appears that the settlement deed does not contain any condition as envisaged under Section 23 of the Act. Be that as it may, when the petition had been filed before the first respondent, the first respondent has to issue notice to the interested parties and pass final order.

3. In this view of the matter, the first respondent is directed to dispose of the petition mentioned representation on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order. The first respondent shall put the respondents 2 & 3 before passing a final order. I make it clear that I have not gone into the merits of the matter.

4. The Writ Petition is disposed of. No costs.

08.12.2023

Index : Yes / No
Internet : Yes/ No
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To
The Revenue Divisional Officer,
Sivakasi Revenue Divisional Office,
Sivakasi,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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