



WEB COPY



W.P.No.2039 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2039 of 2021

and

W.M.P.No. 2318 of 2021

1. G.Satheesh Kumar
2. G.Pratheep Kumar
3. G.Girija

.... Petitioners

Vs

1. The District Collector,
Chennai – 600 001.

2. The Sub Divisional Magistrate,
and the Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai – 600 032.

3. The Sub Registrar,
Velacherry.

4. Amasaveni

5. R.Janarthanan

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, calling for the records relating to the second respondent's order made in Procs.A1/669/2019 dated 05.12.2020 and quash the same.



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For Petitioners : Mr.M.Muthappan
For R1 to R3 : Mr.E.Vijay Anand
Additional Government Pleader
For R4 & R5 : No appearance

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent dated 05.12.2020, thereby allowed the complaint lodged by the fourth respondent and declared the settlement deed executed in favour of the petitioners by the fourth respondent dated 26.12.2018 registered vide Document No.7742 of 2018 as void on the ground that the petitioners failed to maintain the fourth respondent.

2. The learned counsel appearing for the petitioners would submit that the fourth respondent filed a suit to cancel the settlement deed dated 26.12.2018 in O.S.No.84 of 2019 on the file of the Additional District Judge, Chengalpattu, which is pending. Now, the fourth respondent died.

3. In view of the above submission, the only option open to



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the petitioner is that they have to approach the civil Court for partition in the manner known to law.

4. With the above observation, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

13.06.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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