



W.P.No.8365 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.8365 of 2024

B.Mry Marieza

... Petitioner

Vs

1. The Sub Registrar,
Sub Registrar Office,
Periamet, Chennai – 600 003.

2. Mary Cathrine

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent to cancel the settlement deed in document No.1349 of 2021 dated 30.06.2021 register at Periamet SRO.

For Petitioner : Mr.K.Gajendran

For Respondents : Mr.P.Anandakumar
Government Advocate – R1

ORDER



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This Writ Petition has been filed to direct the first respondent to cancel the settlement deed registered by the second respondent in document No.1349 of 2021 dated 30.06.2021 at Periamet SRO.

2. Heard Mr.K.Gajendran, learned counsel appearing for the petitioner and Mr.P.Anandakumar, learned Government Advocate appearing for the first respondent.

3. The case of the petitioner is that the second respondent has fraudulently executed a settlement deed in favour of her daughter in respect of the property belonging to the petitioner and hence, seeks to cancel the said settlement deed executed by the second respondent.

4. At the outset, this Court is of the view that this writ petition is not maintainable. When a document is executed by any of the co-owners who have share in the property, as matter of right one cannot seek to cancel the document and Registrar is not vested with the power to cancel such documents. It is not the case of the petitioner that the document is



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executed by forgery or impersonation. Hence, I do not find any merits in this Writ Petition.

5. Accordingly, this Writ Petition is dismissed of. No costs.

01.04.2024

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

The Sub Registrar,
Sub Registrar Office,
Periamet, Chennai – 600 003.



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N.SATHISH KUMAR, J.

VTC

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