



WEB COPY

W.P.No.16671 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16671 of 2024

Maheswari

...

Petitioner

versus

1.The District Collector,
Vellore District,
Office of the District Collector,
Vellore.

2.The District Registrar,
Registration District of Vellore,
Vellore.

3.The Sub Registrar,
Katpadi,
Office of the Sub Registrar,
Katpadi.

4.Ponni
5.Prabu
6.Chinraj
7.Raja
8.Eswaran
9.Sakunthala
10.Varalaksmi
11.Savithiri
12.Kotteswari

1/5



13.Lalitha

14.Mala

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 09.05.2024 and to cancel the release deed by the petitioner and the petitioner's sister Sakunthala in favour of the said Selvaraj, now deceased, *vide* Document No.71 of 1980 on the file of Sub Registrar, Katpadi and restore the same to its original position.

For Petitioner	:	Mr.D.Ashok Kumar
For Respondent No.1	:	Mr.P.Sathish Additional Government Pleader
For Respondent Nos.2 & 3	:	Mr.Yogesh Kannadasan Special Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the respondents 1 to 3 to consider the petitioner's representation dated 09.05.2024 and to cancel the release deed executed by the petitioner.



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3. It is the grievance of the petitioner that she has given representation before the respondents 1 to 3 to the effect that the brothers of the petitioner obtained the release deed from the petitioner when she was at the age of 16 years. Therefore, the petitioner now seeks a direction to the respondents 1 to 3 to consider her representation and to cancel the release deed.

4. The very allegations in her complaint indicate that she wants to cancel the document on the grounds of fraud and undue influence. If any document sought to be cancelled by way of fraud and undue influence, such documents ought to have been avoided within a reasonable period before the civil court by proving the nature of fraud and undue influence, not after 44 years by just giving an application before the Registrar. Even assuming that the minor property dealt, same is not void under law, it is only voidable at the option of the minor on attaining the majority within a period of 3 years.

5. As a matter of fact, just by giving a representation to the authorities who have no jurisdiction to go into that issue, the parties cannot be permitted to create a new cause of action.



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costs.

6. With the above observations, this Writ Petition is dismissed. No

26.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

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Office of the Sub Registrar,
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N.SATHISH KUMAR, J.

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