



W.P.No.19921 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.19921 of 2024

K.Ganesan

... Petitioner

-Vs-

1. The Principal Secretary To Government,
Rural Development And
Panchayat Raj Department,
Secretariat, Chennai 600009.
2. The District Collector,
Perambalur District, Perambalur.
3. The District Registrar,
District Registrar Office,
Jayankondam Road, Ariyalur 621704.
4. The Sub – Registrar,
Thuraiyur Road, Chettikulam,
Perambalur 621 104.
5. Director Of Town And Country Planning,
Department Of Town And Country Planning,
Perambalur Region,
Thirumangalam,
32/1 Periyar Street, Perambalur 621219.
6. The Block Development Officer,
(Village Unions), Perambalur 621220.
7. The Executive Officer,



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Kalarampatti Village Panchayat,
Perambalur Taluk, Perambalur Dt.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider and dispose of the representation dated 10.02.2024 to execute and register the cancellation deed by cancelling the GIFT DEED dated 05.03.2018 registered in the office of the Sub-Registrar, Chettikulam as document No. 502 of 2018 and release the same to petitioner.

For Petitioner	: Mr.P.Muthusamy
For R1 to R5	: Mr.V.Manoharan Additional Government Pleader
For R6 and R7	: Mr.K.Suresh Government Advocate

ORDER

This writ petition has been filed for direction directing the first respondent to consider and dispose of the representation dated 10.02.2024 to execute and register the cancellation deed by cancelling the gift deed dated 05.03.2018 registered in the office of the Sub-Registrar, Chettikulam as document No. 502 of 2018 and release the same to petitioner.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner owned land comprised in S.No.246/12 ad-measuring



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0.06 cents, in S.No.246/13 ad-measuring 1.04 acres and in S.No.246/14 ad-measuring 0.88 cents by way of a registered sale deed dated 29.09.2016 registered vide Document No.3548 of 2016. Thereafter, the petitioner had planned to develop the said property into house sites and formed a layout in the name and style of Sri Mahalakshmi Nagar. In order to get the layout approval, the petitioner had executed a gift deed in favour of the 6th respondent in respect of OSR for the purpose of road and other common usage vide Document No.502 of 2018 dated 05.03.2018. Thereafter, the petitioner dropped the plan and did not apply for the layout approval. Therefore, the petitioner wanted to get back the property which was already settled in favour of the 6th respondent by way of gift deed. Hence, the petitioner submitted a representation and it is pending without consideration.

4. In view of the above, the 6th and 7th respondents are directed to execute a cancellation of gift deed which was already executed by the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands allowed. No costs.



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Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
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To

1. The Principal Secretary To Government,
Rural Development And



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Panchayat Raj Department,
Secretariat, Chennai 600009.

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G.K.ILANTHIRAIYAN. J.

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