



W.P.No.35109 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.35109 of 2024
and W.M.P.No.38052 of 2024

K.Parvathi

...Petitioner

Vs.

1. The Sub Registrar,
Sub Registrar Office,
Kundrathur, Chennai.

2. B.Kandeepan
3. E.Jayalakshmi
4. A.Yasodha

...Respondents

Prayer: Writ Petition is filed under Article 226 praying to issue a Writ of Certiorari calling for the records in respect of proceedings in unilateral cancellation of settlement deed dated 27.07.2010 and registered vide document No.8244 of 2010 by the 1st respondent executed by the 2nd respondent and quash the same consequently direct the 1st respondent to remove the connected entries in the register.



For Petitioner : Mr.T.V.G.Kartheeban

For Respondent-1 : Ms.C.Meera Arumugham,
Additional Government Pleader

ORDER

Challenging the order passed by the 1st respondent dated 27.07.2010 in and by which the 1st respondent had cancelled the settlement deed executed by the 2nd respondent in favour of the petitioner, the petitioner is before this Court.

2. It is the case of the petitioner that the 2nd respondent, who is her husband, had executed a settlement deed in her favour vide registered Document No.2056 of 2009 dated 01.04.2009 on the file of the 1st respondent. Subsequently, the settlement deed has been cancelled by the 1st respondent by way of a registered cancellation of Settlement Deed, vide Document No.8244 of 2010. Hence, the petitioner is before this Court.

3. The cancellation has been made on the strength of the



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provisions of Section 77-A of the Registration Act.

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4. Since the matter is covered by the orders of the Division Bench of this Court in *M.Kathirvel and Others Vs. Inspector General of Registration (2024 (4) CTC 769)*, this Court is not going into the facts of the case.

5. In the light of the judgment passed by the Division Bench of this Court reported in *2024 (4) CTC 769 [M.Kathirvel and Others Vs. Inspector General of Registration]*, this unilateral cancellation is invalid. Accordingly, the Writ Petition is allowed. The impugned order dated 27.07.2010 is set aside. Consequently, connected miscellaneous petition is closed. No costs.

26.11.2024

Index : Yes/No
Internet : Yes/No
srn

P.T. ASHA, J.



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The Sub Registrar,
Sub Registrar Office,
Kundrathur, Chennai.

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