



W.P(MD)No.698 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD).No.698 of 2023

and

W.M.P(MD).No.693 of 2023

A.Amanulla

... Petitioner

Vs

1. The District Registrar,
Tenkasi,
Tenkasi District.

2. The Sub-Registrar,
Kadayanallur,
Tenkasi District.

3. Jeenath Begum,

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the registration of cancellation of settlement deed executed by the 3rd respondent and deceased Mr.Abdul Alim dated 01.08.2007 registered as document no. 2132/2007 on the file of the 2nd respondent and quash the same



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W.P(MD)No.698 of 2023

For Petitioner : Mr.R.J.Karthick

For R1 & R2 : Mr.M.Senthil ayyanar

Government Advocate

For R3 : Mr.A.Ansar

ORDER

Heard both sides.

2. The petitioner is the son of the third respondent. The third respondent executed a settlement deed in favour of the petitioner on 28.07.2005. It was also duly registered. Subsequently, the third respondent unilaterally cancelled the same on 01.08.2007. It was registered as document No.2132 of 2007, on the file of the second respondent. It was an unilateral cancellation. Challenging the same, the present writ petition came to be filed.

3. The Full Bench of this Court as early as in the year 2011 in ***M/s.Latif Estate Line India Lts Vs. Mrs. Hadeeja Ammal in AIR 2011(Mad) 66***, had held that such unilateral cancellation is void in law and this was reiterated by



W.P(MD)No.698 of 2023

another Full Bench of this Court in *Sasikala Vs. Revenue Divisional Officer*

in 2022 (5) CTC 257. It has been held that the Registrar should not accept any deed or unilateral cancellation.

4.In view of the above, the impugned registration of the document executed by the third respondent is quashed. Accordingly, this writ petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

26.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
LR

To
1. The District Registrar,
Tenkasi,
Tenkasi District.

2. The Sub-Registrar,
Kadayanallur,
Tenkasi District.



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W.P(MD)No.698 of 2023

G.R.SWAMINATHAN, J.

LR

W.P(MD).No.698 of 2023

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