



W.P(MD)No.4562 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4562 of 2024
and
W.M.P(MD)Nos.4401 of 2024

Elayarani

... Petitioner

Vs.

1.The Sub Registrar,
Registration Department,
Thirukkattupalli Sub Registrar Office,
Boodalur,
Thanjavur District.

2.The Tahsildar,
Boodalur Taluk,
Thanjavur District.

3.The Firka Surveyor,
Boodalur Taluk Office,
Thanjavur District.

4.The Village Administrative Officer,
Koothur,
Koothur Revenue Village,
Boodalur Taluk,
Thanjavur District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein, namely, Sub-Registrar, Registration Department, Thirukkattupalli Sub Registrar Office, Boodalur, Thanjavur District to cancel the unilateral cancellation of the settlement deed dated 15.11.1994 vide in Document No. 593 within the time limit that may be fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
For Respondents : Mr.D.S.Nedunchezhiyan
Government Advocate

ORDER

Heard both sides.

2.The petitioner's grandmother Velammal executed settlement deed in favour of the petitioner on 12.07.1993. The document reads that it is irrevocable in nature. But it was unilaterally cancelled on 15.09.1994. The petitioner states that he came to know about the unilateral cancellation only recently. It has been conformed that subsequently no transaction had taken place. The petitioner's grandmother also passed away in the year 1996. The Hon'ble Full Bench of this Court in a



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decision reported in (2022) 7 MLJ 1 (*Sasikala Vs Revenue Divisional Officer Cum Sub-Collector, Devakottai, Sivagangai & Another*) had held that unilateral cancellation of a settlement deed is legally impermissible and the registering authority could not have register such a document.

3.In this view of the matter, the registration of the unilateral deed of cancellation is set aside. This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The Sub Registrar,
Registration Department,
Thirukkattupalli Sub Registrar Office,
Boodalur,
Thanjavur District.

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G.R.SWAMINATHAN, J.

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Thanjavur District.
- 4.The Village Administrative Officer,
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