



W.P(MD).Nos.22022 and 21096 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

**W.P(MD).Nos.22022 and 21096 of 2021
and
W.M.P(MD).No.18625 of 2021**

W.P(MD).No.22022 of 2021

M.Rajapandian

... Petitioner

Vs.,

The Sub-Registrar,
Sub-Registrar Office,
Sayalkudi, Ramanathapuram District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for records of the notice dated 30.11.2021 issued by the respondent and quash the same consequently directing the respondent to register the deed of cancellation submitted by the petitioner vide temporary registration number TP/105728050/2021 dated 01.10.2021.

For Petitioner : Mr.P.Krishnasamy
for Mr.M.Pandian

For Respondent : Mr.P.Subbaraj
Special Government Pleader



W.P(MD).Nos.22022 and 21096 of 2021

W.P(MD).No.21096 of 2021

M.Rajapandian

... Petitioner

Vs.,

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakam, Chennai 600 028.
- 2.The District Registrar,
Ramanathapuram District Registration Office,
Ramanathapuram District.
- 3.The Sub-Registrar,
Sayalkudi, Ramanathapuram District.
- 4.R.Veemarajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the third respondent to register the deed of cancellation submitted by the petitioner vide temporary registration number TP/105728050/2021 dated 01.10.2021 in respect of property situated at Old Ward No.7, New Ward No.10 & 11, Sayalkudi Town, Ramanathapuram District, Old Aruppukottai Road junction, in Survey Nos.202/5, 202/13 and 202/13B Natham Patta No.841 & 1218 based on the representation made to the respondents 2 and 3 through registered post on 10.11.2021 within the time limit that may be stipulated by this Court.

For Petitioner	: Mr.P.Krishnasamy for Mr.M.Pandian
For Respondents	: Mr.P.Subbaraj (for R1 to R3) Special Government Pleader Mr.J.Indrachithu (for R4)



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COMMON ORDER

W.P(MD).No.22022 of 2021 has been filed challenging the notice issued by the respondent dated 30.11.2021 with consequential direction to the respondent to register the deed of cancellation submitted by the petitioner.

1.1 W.P(MD).No.21096 of 2021 has been filed to direct the third respondent to register the deed of cancellation submitted by the petitioner.

2. Since the issue involved in these writ petitions is one and the same, both petitions can be disposed of by way of this common order.

3. The petitioner has executed a gift deed in favour of his grand-child, namely Manoj and thereafter, he decided to cancel the same. When he presented the document for registration to cancel the deed, notice has been issued stating that the document cannot be cancelled unilaterally. Hence, he seeks direction.

4. It is well settled that the unilateral cancellation is not permissible under law, which has been held in Full Bench of this Court in the case of ***Sasikala***



W.P(MD).Nos.22022 and 21096 of 2021

Vs., The Revenue Divisional Officer-cum-Sub Collector in W.P(MD).No.6889 of 2020 etc., batch , dated 02.09.2022.

5. In such view of the dictum laid down by the Full Bench, these Writ Petitions are not maintainable. Accordingly, these Writ Petitions are dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

**08.08.2024
(2/2)**

NCC : Yes/No
Index : Yes/No
Rmk

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakam, Chennai 600 028.
- 2.The District Registrar,
Ramanathapuram District Registration Office,
Ramanathapuram District.
- 3.The Sub-Registrar,
Sayalkudi, Ramanathapuram District.



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N.SATHISH KUMAR, J.

Rmk

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08.08.2024

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