



W.P.(MD).No.3839 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.3839 of 2017

and

W.M.P.(MD)Nos.3035 to 3037 of 2017

A.V.Rajendran

.... Petitioner

Vs

1.The Inspector General of Registration,
Registration Department,
Santhome,
Chennai.

2.The Joint Registrar,
Office of the District Registrar,
Thanjavur.

3.The District Registrar,
Office of the District Registrar,
Thanjavur.

4.The Revenue Divisional Officer,
Thanjavur.

5.The Tahsildar,
Thanjavur.

6.Kanagam

... 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



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records relating to the registered impugned Revocation Deed dated 21.09.2015 vide Doc.No.5495 of 2015 on the file of the third respondent executed by the sixth respondent, quash the same.

For Petitioner : Mr.P.Vadivel

For R-1 to R-5 : Mr.M.Sarangan
Additional Government Pleader

For R-6 : Mr.Raja Karthikeyan

ORDER

Heard Mr.P.Vadivel, learned counsel for the petitioner, Mr.M.Sarangan, learned Additional Government Pleader for the respondents 1 to 5 and Mr.Raja Karthikeyan, learned counsel for the 6th respondent.

2. This Writ Petition has been filed challenging the impugned Revocation Deed dated 21.09.2015 vide Doc.No.5495 of 2015 on the file of the third respondent executed by the sixth respondent.

3. The issue involved in this Writ Petition is no more *res integra*. This Court has elaborately considered the issue of unilateral cancellation and the Full Bench of this Court in the case of ***Sasikala Vs. Revenue Divisional Office cum Sub Collector and another made in W.P.***



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(MD).Nos.6889 of 2020 etc., batch cases dated 02.09.2022 held that

unilateral cancellation of settlement of sale deed is not permissible.

4. At this juncture, the learned counsel for the sixth respondent would submit that the petitioner who is the son of the sixth respondent, is not taking care of his mother. Therefore, the sixth respondent had cancelled the settlement deed executed in favour of her son, the petitioner herein.

5. In view of the settled provision of law, unilateral cancellation of the settlement deed is not valid in the eye of law. Hence, the impugned Revocation Deed dated 21.09.2015 is set aside. It is for the parties to establish their stand over the properties in a proper civil suit.

6. However, in view of the submission made by the learned counsel for the sixth respondent, liberty is hereby granted to the sixth respondent to approach the statutory authority under Maintenance and Welfare of Parents and Senior Citizens Act, 2007, to seek maintenance and support from the petitioner. It is also made clear that this order will not preclude the authority from dealing with the application, if so filed by the sixth respondent, on merits and in accordance with law.



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WEB COPY 7. Accordingly, this Writ Petition is allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Inspector General of Registration,
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Santhome,
Chennai.
- 2.The Joint Registrar,
Office of the District Registrar,
Thanjavur.
- 3.The District Registrar,
Office of the District Registrar,
Thanjavur.
- 4.The Revenue Divisional Officer,
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- 5.The Tahsildar,
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K.KUMARESH BABU, J.

Nsr

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