



W.P(MD).No.21725 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 02.09.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**W.P(MD).No.21725 of 2023**

**and**

**W.M.P(MD).Nos.18123, 18124 and 24915 of 2023**

S.Karupayee

... Petitioner

Vs.,

1.The Sub Registrar,  
Ezhumalai Sub Registrar Office,  
Madurai.

2.M.Muthiah

3.Pounthai

4.M.P.Uma Shankar

5.Kalaivani

6.Naveen Kumar @ Navaneethan

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records from the office of the first respondent with respect to the impugned registration of unilateral cancellation deed of settlement in Doc.No.2041 of 2009 dated 23.11.2009 and quash the same and consequently direct the first respondent to remove the entry of encumbrance regarding the said document in Book No.1 of his office.



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For Petitioner : Mr.K.K.Udayakumar  
For Respondents : Mr.P.Subbaraj (for R1)  
Special Government Pleader  
No appearance (for R2)  
Mr.S.M.Arunkumaar (for R4)

### **ORDER**

The petitioner's father has executed a settlement deed on 18.11.2009 in favour of the petitioner and thereafter, he cancelled the same on 23.11.2009. Challenging the unilateral cancellation of settlement deed, this petition has been filed.

2. It is stated by the learned counsel on either side that a suit in O.S.No. 42 of 2014 has been filed before the Subordinate Court, Thirumangalam, for similar relief and also for partition.

3. In view of the aforesaid statement, let the parties workout their remedy in the pending suit. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**02.09.2024**

NCC : Yes/No  
Index : Yes/No  
Rmk



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To

- 1.The Sub Registrar,  
Ezhumalai Sub Registrar Office,  
Madurai.



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**N.SATHISH KUMAR, J.**

*Rmk*

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