



W.P.(MD).No.20458 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.20458 of 2016

and

W.M.P.(MD)Nos.14664 and 14665 of 2016

C.Saravanan

...Petitioner

Vs

1.The District Registrar,
Ramanathapuram.

2.The Sub Registrar,
Velipattinam,
Ramanathapuram District.

3.C.Rukmani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the registration of the impugned unilateral gift settlement cancellation deed dated 21.07.2014 bearing document number 3474 of 2014 on the file of the second respondent and quash the same and consequentially directing the second respondent to delete the said entry from his file.



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For Petitioner : Mr.T.R.Jeyapalam

For R-1 and R-2 : Mr.D.Sadiq Raja
Additional Government Pleader

For R-3 : No Appearance

ORDER

Heard Mr.T.R.Jeyapalam, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents 1 and 2.

2. This Writ Petition has been filed challenging the unilateral gift settlement cancellation deed dated 21.07.2014 bearing document number 3474 of 2014 on the file of the second respondent and to consequentially direct the second respondent to delete the said entry from his file.

3. The issue involves 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. (MD).Nos.6889 of 2020 etc., batch cases dated 02.09.2022*** held that unilateral cancellation of settlement of sale deed is not permissible.



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4. In view of the above settled provision of law, unilateral cancellation of the settlement deed is not valid in the eye of law. Hence, the unilateral cancellation of the settlement deed is liable to be set aside and accordingly, the impugned cancellation deed dated 21.07.2014 is set aside. It is for the parties to establish their stand over the properties in a proper civil suit.

5. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

21.11.2024

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



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To:
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- 1.The District Registrar,
Ramanathapuram.
- 2.The Sub Registrar,
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Nsr

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