



W.P.(MD) No.12753 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.12753 of 2017

A.Edwin Paulraj

.. Petitioner

Vs.

The Sub Registrar (No.1),
Trichy District,
Trichy.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records relating to the impugned endorsement made by the respondent in Document No. 652 of 2017 on the file of respondent office dated 23.02.2017 and quash the same.

For Petitioner : Mr.S.Anwar Sameem

For Respondent : Mr.D.Sadiq Raja
Additional Government Pleader



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ORDER

The challenge to the writ petition is the endorsement that had been made in the document by which a settlement deed, which was earlier registered in Document No.6591/2011, dated 22.09.2011, was sought to be cancelled.

2. By a bilateral cancellation deed, the petitioner herein had cancelled the settlement deed standing in his name to a charitable trust and by virtue of the said cancellation deed dated 22.03.2017, registered in Document No.652/2017, the property shall vest back with the petitioner. However, an endorsement has been made by the Sub-Registrar indicating that the said document would not amount to any transfer of title. The said endorsement is wholly contrary to the principles of Transfer of Property Act, 1882. Further, the said endorsement has been made by the respondent without any authority.



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3. In fine, this writ petition is allowed, the endorsement made by the respondent in Document No.652 of 2017, dated 23.02.2017 alone is set aside. No costs.

15.11.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

The Sub Registrar (No.1),
Trichy District,
Trichy.



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K.KUMARESH BABU, J.

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