



W.P.(MD) No.17103 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.17103 of 2017
and
W.M.P.(MD) No.13683 of 2017**

V.Amaravathi

... Petitioner

/vs./

1.The District Registrar,
Office of the District Registrar Office,
Theni District,
Theni.

2.The Sub Registrar,
The Sub Registration Office,
Theni District.

3.Veeraian Chettiar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the registration of cancellation of settlement Deed vide document No.371 of 2011 dated 14.1.2011 before the 2nd respondent herein and quash the same and consequently direct the 2nd respondent to delete the entry of cancellation of



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settlement dated in document No.371 of 2011 dated 14.01.2011 from his file.

For Petitioner : No appearance
For R1 & R2 : Mr.S.P.Maharajan
Special Government Pleader
For R3 : No appearance

ORDER

The petitioner had sought for to cancel the unilateral cancellation deed executed by the third respondent.

2. The law on this aspect had been settled by virtue of the judgment of the Hon'ble Apex Court in the case of *Asset Reconstruction Company (India) Ltd.*, reported in **2022 SCC Online SC 544** and the same had been followed by a Full Bench of this Court in the case of *Sasikala Vs. Revenue Divisional Officer cum Sub Collector* reported in **2022 (3) MWN (Civil) 129**.

3. In view of the categorical pronouncement (*stated supra*), the Writ Petition stands allowed and the unilateral cancellation executed by the third respondent is set aside. Necessary entries shall also be made in that regard.



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However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No

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Internet : Yes / No

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To

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Office of the District Registrar Office,
Theni District,
Theni.

2.The Sub Registrar,
The Sub Registration Office,
Theni District.



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K.KUMARESH BABU, J.

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