



W.P.(MD).No.18753 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.18753 of 2017

and

W.M.P.(MD)No.15120 of 2017

S.Natarajan

...Petitioner

Vs

- 1.The State of Tamil Nadu,
Represented by the Inspector of Registration,
Thanjavur District,
Thanjavur.
- 2.The District Registrar,
Pattukottai,
Thanjavur District.
- 3.The Sub Registrar,
Peeravoorani Sub Registrar Office,
Thanjavur District.
- 4.The District Collector,
Thanjavur District,
Thanjavur.
- 5.The Tahsildar,
Peeravoorani,
Thanjavur District.
- 6.N.Rajamani
- 7.K.Vanaja

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari, calling for the records of the impugned unilateral cancellation of settlement deed dated 30.05.2011 in Document No.984/2011, registered with the respondent, the Sub Registrar, Peeravoorani, Thanjavur District and quash the same as illegal.

For Petitioner : Mr.P.Saravanakumar

For R-1 to R-5 : Mr.S.P.Maharajan
Special Government Pleader

For R-6 & R-7 : No Appearance

ORDER

Heard Mr.P.Saravanakumar, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader for the respondents 1 to 5.

2. This Writ Petition has been filed challenging the impugned unilateral cancellation of settlement deed dated 30.05.2011 in Document No.984/2011, registered with the respondent, the Sub Registrar, Peeravoorani, Thanjavur District.



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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. (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. 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 Settlement Cancellation Deed dated 30.05.2011 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 petition is closed.

05.12.2024

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



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To:

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- 1.The Inspector of Registration,
The State of Tamil Nadu,
Thanjavur District,
Thanjavur.
- 2.The District Registrar,
Pattukottai,
Thanjavur District.
- 3.The Sub Registrar,
Peeravoorani Sub Registrar Office,
Thanjavur District.
- 4.The District Collector,
Thanjavur District,
Thanjavur.
- 5.The Tahsildar,
Peeravoorani,
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K.KUMARESH BABU, J.

Nsr

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