



W.P.(MD) No.21309 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.21309 of 2017
and
W.M.P.(MD) No.17571 of 2017**

Nallur Annathana Charitable Chathira Trust,
at Door No.57/37, Mela Veedhi,
Vengankudi,
Manachanallur Taluk,
Trichy District rep by its
Special Power Agent,
R.Prabhu
S/o. Rengaraj

... Petitioner

/vs./

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The District Revenue Officer,
Pudukkottai.
- 3.The District Registrar,
Office of the District Registrar Office,
Pudukkottai.



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4.The Sub Registrar,
Office of the Sub Registrar,
Keeranoor,
Pudukkottai District.

5.R.Senthilnathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd and 4th respondents to cancel the cancellation deed executed on 10.05.2010 vide document No.2081/2010 on the file of the 4th respondent herein unilaterally by the 5th respondent and consequently direct the first and second respondents to take necessary action to remove the entries made in the name of the 5th respondent in respect of the petitioner property in S.No.397/4 and 5 situated at Lakshmananpatti Village, Kulathoor Taluk, Pudukkottai District.

For Petitioner : Mr.B.Jameel Arasu

For R1 to R4 : Mr.S.P.Maharajan
Special Government Pleader

For R5 : Mr.V.Meenakshi Sundaram

ORDER

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



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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 fourth respondent is set aside. Necessary entries shall also be made in that regard. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No

22.11.2024

Internet : Yes / No

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To

1. The District Collector,
Pudukkottai District,
Pudukkottai.

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- 2.The District Revenue Officer,
Pudukkottai.
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- 4.The Sub Registrar,
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K.KUMARESH BABU, J.

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