



W.P (MD).No.29815 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.29815 of 2024

Vijayalakshmi

...Petitioner

Vs.

1.The District Registrar,
Office of the South District Registrar,
Madurai.

2.The Sub-Registrar,
Office of the Palanganatham Sub-Registrar,
Madurai.

3.Jeyakumar

4.Rajkumar

5.Chitra

6.Jana

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to take appropriate action on the second respondent vide its proceedings No.4388/A2/2023 on the file of the first respondent and conduct an enquiry regarding the two settlement deeds documents vide its Document No.2875/2021 dated 23.07.2021 and 4821/2021 dated 26.11.2021 on the basis of the petitioner's application dated 04.05.2023 and dispose the same based on the petitioner's representation dated 22.11.2024.



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For Petitioner : Mr.K.Pandiarajan
For R1 & R2 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed for a direction directing the first respondent to take appropriate action as against the second respondent with regard to the two settlement deeds vide Document No.2875/2021, dated 23.07.2021 and 4821/2021, dated 26.11.2021.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. On a perusal of the representation submitted by the petitioner revealed that the respondents 3 to 6 had submitted two settlement deed for registration and got registered vide document Document No.2875/2021, dated 23.07.2021 and 4821/2021, dated 26.11.2021, however, the petitioner disputing the boundaries mentioned in the settlement deeds. Therefore, the petitioner submitted a representation to cancel the settlement deeds which are executed



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and got registered by the respondents 3 to 6. The complaint lodged by the petitioner cannot be considered on two grounds:- No document can be cancelled by the registering authority and no law can permits to cancel the document. Further, provision under Section 77-A and 77-B of the Registration Act were already declared as unconstitutional. Therefore, the complaint lodged by the petitioner cannot be considered by the first respondent. Therefore, the writ petition is devoid of merits and it is liable to be dismissed.

5. Accordingly, the writ petition is dismissed.
No costs. The petitioner is at liberty to approach the Civil Court for appropriate remedy.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

11.12.2024

To

1.The District Registrar,
Office of the South District Registrar,
Madurai.

2.The Sub-Registrar,
Office of the Palanganatham Sub-Registrar,
Madurai.



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G.K.ILANTHIRAIYAN, J.

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