



W.P(MD)No.1288 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1288 of 2024

M/s.Martin Fabrics and Traders Pvt. Ltd,
Represented by its Authorized Representative,
I.Madhukumar.

... Petitioner

Vs.

1.The Sub-Registrar,
Melakarur Sub-Registrar Office,
Karur District.

2.M/s. Hitech Chains Pvt. Ltd.,
Represented by its Managing Director,
P. Srinivasan, No.2, Ramanujam Nagar,
Karur - 639 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned Refusal Check Slip dated 12.12.2023 of the 1st respondent and quash the same and further direct the 1st respondent to register the Deed of Cancellation of Lease dated 12.12.2023 to cancel the Lease Deed No.21 of 2019 dated 02.01.2019 registered on the file of the 1st respondent.



W.P(MD)No.1288 of 2024

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.B.Saravanan,
Addl. Government Pleader for R1.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the first respondent. Even though the second respondent has been served, he has not chosen to enter appearance.

2.The petitioner had executed the lease deed in favour of the second respondent on 02.01.2019. The lease was for a period of five years. The lease period has since ended. Now the petitioner wants to cancel the same. Such unilateral cancellation is impermissible in law. I however make it clear that it is open to the writ petitioner to execute a fresh lease in favour of any third party. If any such document is presented, it shall be registered by the first respondent subject to fulfilment of usual formalities.

3.The writ petition is disposed of with the aforesaid liberty to the writ petitioner and direction to the first respondent. No costs.

05.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



W.P(MD)No.1288 of 2024

To:-

WEB COPY

The Sub-Registrar,
Melakarur Sub-Registrar Office,
Karur District.



WEB COPY



W.P(MD)No.1288 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.1288 of 2024

05.04.2024