



W.P.No. 2441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2441 of 2025
and WMP.No.2750 of 2025

A.Gomathi

.... Petitioner

Vs

1.The District Registrar (Administration)
Ariyalur
Ariylaur District.

2.The Sub-Registrar of Registration
Jayamkondam & Post
Ariyalur District.

3.V.Veeramani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to the orders of the first respondent in Na.Ka.6698/A4/2022 dated 07.08.2023 relating to the cancellation of the settlement deed dated 14/12/2021 in Document No.3277/2021 on the file of the second respondent and quash the same.



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For Petitioner : Mr.S.Kamadevan
For Respondents : Ms.C.Meera Arumugam
Additional Government Pleader
for R1 & R2

ORDER

The writ petition is filed seeking to quash the proceedings of the first respondent in Na.Ka.6698/A4/2022 dated 07.08.2023 relating to cancellation of the settlement deed dated 14/12/2021 in Document No.3277/2021 on the file of the second respondent.

2. The case of the petitioner is that her grandmother owned a land and building in Old.S.No.132/4, New S.No.566/16 measuring an extent of 0.06.5 Ares (650 sq.mtrs.), in Jayamkondam North Street, Jayamkondam Municipality, Ariyalur District. She had settled the said property in favour of the petitioner vide registered settlement deed dated 14.12.2021, subsequent to which, patta was also transferred in the name of the petitioner. According to the petitioner, the third respondent colluding with the revenue authorities, had got transferred the patta of the said property in his name, and on the strength



of it, he interfered with the peaceful possession and enjoyment of the petitioner's property. To overcome this situation, the petitioner instituted a suit in O.S.No.9/2023 for declaration and permanent injunction against the third respondent and the same is pending on the file of Principal District Court, Ariyalur.

3. Pending the suit, the third respondent had made an application before the first respondent to cancel the settlement deed dated 14.12.2021 executed in favour of the petitioner. The first respondent vide impugned proceedings dated 07.08.2023, cancelled the settlement deed that stands in the name of petitioner, *inter alia* alleging that District Revenue Officer, Ariyalur had cancelled the patta that stands in the name of the petitioner as the same was found to be bogus document and this apart, there is also procedural violation in registering the settlement deed. Therefore, aggrieved by the order of the first respondent cancelling the said settlement deed, on the basis of Section 77-A of the Registration Act, the petitioner is before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2.



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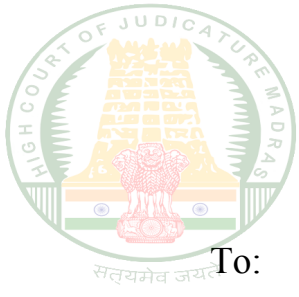
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5. In the light of the judgement passed by the Division Bench of this Court in *M.Kathirvel Vs. Inspector General of Registration - 2024* (4) CTC 769, the order passed by the first respondent cancelling the above said document cannot be sustained.

6. Accordingly, the Writ Petition is allowed and the impugned order is quashed. Consequently, the connected miscellaneous petition is closed. No costs.

29.01.2025

Index : Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
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To:

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Ariyalur
Ariylaur District.
- 2.The Sub-Registrar of Registration
Jayamkondam & Post
Ariyalur District.



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P.T.ASHA, J.,

ds

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