



WEB COPY

WP No. 46578 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 46578 of 2025
and WMP.No.51959 of 2025**

M.Vincent,
S/o. M.Mariyados, Ava Maria House, No. 07,
Thirumurugan Nagar, Mangadu, Chennai 600 122.

..Petitioner

Vs

1.The Inspector General of Registration,
No.100, Santhome High Road, Pattinapakkam,
Chennai 28.

2.The District Registrar, Chennai South,
No.537, Pernpet, Nandanam, Chennai 35.

3.The Sub-Registrar, Alandur Sub-Registrar,
Alandur, Chennai 16.

4.Smt. Mangalalakshmi, W/o. Rajagopal,
No. 9/11, Banar Street, Palavanthangal,
Chennai 114.

5.S.Sreemathi, D/o. Rajagopal W/o. D.Shankar,
No. 14, Avvaiyar Street, Palavanthangal, Chennai



114.

6.Sumathi, D/o. Rajagopal, W/o. Ebrahim,
No.14, Avvaiyar Street, Palavanthangal, Chennai
114.

7.Sivagami, D/o. Rajagopal, W/o. Babu,
No.14, Avvaiyar Street, Palavanthangal, Chennai
114.

8.R.Raghu, S/o. Rajagopal,
No. 2/114, Raghava Nagar, 2nd Main Road,
Moovarasampeet, Madipakkam, Chennai 117.

9.R.Uma Maheshwari, W/o. R.Raghu,
No. 2/114, Raghava Nagar 2nd Main Road,
Moovarasampeet, Madipakkam, Chennai 117.

10.Aleem, No. 53/28, Ponnaiamman Koil Street,
Alandur, Chennai 16.

11.The Proprietor, M/s. MMKK Builders,
Thillai Ganga Nagar, Nanganallur, Chennai 61.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus to call for the records
of the 3rd respondent in respect to quash the forged release deed document No.
1332/2010 dated 28.04.2010 and settlement deed document No.812/2024 dated
20.02.2024 and consequently, direct the official respondents to make necessary



entries in Index II of the Registration Act so as to reflect in the encumbrance certificate.

For Petitioner:

Mr. D.Ashok Kumar

For Respondents:

Mr.U.Baranidharan, SGP for R1 to R3

ORDER

The petitioner assails release deed dated 28.04.2010 bearing document no.1332/2010 and settlement deed dated 20.02.2024 bearing document no.812/2024.

2. The petitioner asserts that his father was an ex-service man and that the grandfather's property had been inherited by his father and subsequently by him. According to the petitioner, respondents 4 to 7 had released their 4/5th share in the property by including false recitals in release deed dated 28.04.2010 and that such release deed was registered on such basis as document no.1322/2010. Thereafter, it is stated that the eighth respondent settled the said property in favour of his wife, the ninth respondent under settlement deed dated



20.02.2024. After lodging a police complaint in this regard and submitting representations to respondents 1 to 3 to quash the said document, the present writ petition has been filed.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for respondents 1 to 3.

4. The petitioner has filed this writ petition in November 2025 seeking to cancel the release deed registered on 28.04.2010. In the affidavit in support of the writ petition, apart from stating that the petitioner's father served in the army and that the petitioner was not residing in Chennai, there is no acceptable explanation for the long delay. Although limitation is not applicable with regard to the institution of a writ petition, laches is an important consideration. Apart from laches, it is also noticeable that the petitioner alleges that respondents 4 to 7 released their 4/5th share in the property by making false recitals in the release deed. These are clearly disputed questions of fact, which cannot be appropriately addressed in summary proceedings under Article 226 of the



Constitution of India. For these reasons, I am not inclined to exercise discretionary jurisdiction.

5. This writ petition is, therefore, dismissed without any order as to costs by leaving it open to the petitioner to avail of civil remedies in accordance with law. Consequently, connected miscellaneous petition is closed.

04-12-2025

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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