



W.P (MD).No.1721 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

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

W.P (MD).No.1721 of 2025

Mariammal

...Petitioner

Vs.

1.The District Registrar,
Virudhunagar Registration District,
Virudhunagar.

2.The Joint Sub-Registrar No.I,
Virudhunagar,
Virudhunagar District.

3.Pethanasamy

4.Tamarai Selvi

...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 consider the representation dated 10.05.2023 and pass necessary orders to remove the entries about the document (Document No.1674/2008 dated 04.07.2008) within the stipulated time.

For Petitioner : Mr.M.Jothi Basu

For R1 & R2 : Mr.D.Sadiq Raja
Additional Government Pleader



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ORDER

This writ petition has been filed for a direction directing the first respondent to consider the representation submitted by the petitioner dated 10.05.2023 seeking to remove the entries with regard to Document No. 1674/2008 dated 04.07.2008 in respect of the property comprised in S.No. 138/7, situated at Villipathri Village, Aruppukottai Taluk, Virudhunagar District.

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

3. The property comprised in S.No.138/7, situated at Villipathri Village, Aruppukottai Taluk, Virudhunagar District originally owned by the petitioner's father. It was purchased by him by the registered sale deed dated 26.06.1978 vide document No.590/1978 and he was issued with patta. He died on 17.09.1998 leaving behind the 7 legal heirs including the petitioner. In the meanwhile, one of the legal heirs had executed the settlement deed in favour of his daughter in respect of some extent of the property registered vide document No.1674 of 2008. Subsequently, the settlor was issued with patta and it was



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challenged before the Revenue Divisional Officer and the same was allowed.

On the strength of the same, the petitioner made a representation to cancel the entry of the registration of settlement deed vide document No.1674/2008 dated 04.07.2008 in respect of the property comprised in S.No.138/7, situated at Villipathri Village, Aruppukottai Taluk, Virudhunagar District. Mere cancellation of patta would not amount to cancel the settlement deed. The petitioner ought to have challenge the settlement deed in the manner known to law. On the cancellation of patta, no entries can be made in the book of records in respect of the subject property.

4. Therefore, the direction sought for by the petitioner cannot be granted and the writ petition is devoid of merits and it is liable to be dismissed. Accordingly, the writ petition is dismissed. The petitioner is at liberty to approach the Civil Court. No costs.

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

23.01.2025



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To

- 1.The District Registrar,
Virudhunagar Registration District,
Virudhunagar.
- 2.The Joint Sub-Registrar No.I,
Virudhunagar,
Virudhunagar District.



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G.K.ILANTHIRAIYAN, J.

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