



W.P.(MD) No.3498 of 2025

WEB COPIED BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.3498 of 2025

D.Gnanamani

... Petitioner

Vs

1. The Sub-Registrar,
Combined Registration Office,
Taluk Office Complex,
Palani,
Dindigul District-624 601.

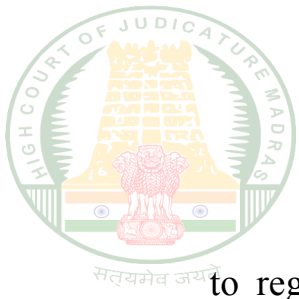
2. Jebaraj Purusothaman

3. Rajina

4. The Revenue Divisional Officer,
Palani, Dindigul District
(R4 is suo motu impleaded vide
order dated 25.2.2025 in W.P.(MD).No.3498 of 2025
by VLNJ)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the first respondent in Refusal Numbers: RFL/1 Joint Sub Registrar Palani/50/2024 dated 24.12.2024 and Refusal Numbers : RFL/1 Joint Sub Registrar palani/51/2024 dated 24.12.2024 and quash the same as illegal and consequently direct the first respondent



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to register the settlement deed dated 11.05.2018 presented by her for registration on 11.05.2018 in respect of the property in S.No.147/2A2 (New.S.No.147/47) and located in Sivakiripatti Village, Palani Taluk, Dindigul District.

For Petitioner	: M/s.R.Durgadevi
For Respondent No.1	: Mr.P.T.Thiraviyam Government Advocate
For Respondent No.4	: Mr.S.Shaji Bino Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 24.12.2024 and consequently, direct the first respondent to register the settlement deed dated 11.05.2018 presented by the petitioner.

2. The petitioner is an octogenarian. She claims to be the owner of the property situated in S.No.147/2A2 of Sivakiripatti Village, Palani Taluk, Dindigul District. She had been in possession and enjoyment of the property. She pleads that the second respondent, who is her first son and the third respondent, who is her daughter-in-law (wife of her second



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son) had given assurance to her that they will take care of her in her old age. On the basis of their assurance, the writ petitioner executed two documents on 11.05.2018, one in favour of the second respondent and another document in favour of the minor son of the third respondent.

3. Unfortunately, after execution of the aforesaid documents, her son and daughter-in-law abandoned her. As she is a victim of neglect, she decided to revoke the settlement deeds. Hence, she applied to the first respondent for cancellation of the settlement deed. The first respondent rejected the registration of the unilateral cancellation based on the circular issued by the Inspector General of Registration in Circular No.52666/C1/2018 dated 29.11.2018. Challenging the same, the present writ petition has been filed.

4. The Revenue Divisional Officer, Palani, Dindigul District is suo motu impleaded as the fourth respondent in this writ petition. Mr.S.Shaji Bino, learned Special Government Pleader takes notice for Respondent No.4. The Registry is directed to carry out necessary amendment in the writ petition.



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5. I heard M/s.R.Duragadevi, learned counsel for the petitioner and Mr.P.T.Thiraviyam, for 1st Respondent and Mr.Shaji Bino, for 4th respondent.

6. The Sub-Registrar does not possess the powers to receive a document unilaterally cancelling a settlement deed or sale deed. However, the petitioner is not remediless. She can always invoke the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

7. It was pointed out by M/s.Durgadevi, that the petitioner has given a representation to the District Collector and the fourth respondent on 10.02.2025.

8. Though, the petitioner seeks for higher relief of certiorari, as she has invoked the jurisdiction of the fourth respondent under the 2007 legislation, there shall be a direction to the fourth respondent to treat the representation given by the petitioner on 10.02.2025, as a petition



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seeking cancellation of the deeds, under the Maintenance and Welfare of Parents & Senior Citizens Act, 2007. The fourth respondent shall issue notice to the petitioner, respondents No.2 and 3 herein, hear the parties and pass appropriate orders on the petition within a period of twelve weeks from the date of receipt of a copy of this order.

9. The impugned order passed by the first respondent is upheld.
The fourth respondent is directed as aforesaid.

10. With the above said observations, this writ petition is disposed of. No costs.

25.02.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
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V. LAKSHMINARAYANAN, J.

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To

1. The Sub-Registrar,
Combined Registration Office,
Taluk Office Complex,
Palani,
Dindigul District-624 601.

2. The Revenue Divisional Officer,
Palani, Dindigul District.

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Dated : 25.02.2025