



W.P(MD)No.7444 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7444 of 2024

S.Usharani

... Petitioner

Vs.

1. The Deputy Inspector General of Registration,
Registration Department,
New Collectorate Campus,
Trichy Road, Thanjavur.

2. The District Registrar (Administration),
Registration Department,
New Collectorate Campus,
Trichy Road, Thanjavur.

3. The Joint Sub Registrar No.1,
Thanjavur,
New Collectorate Campus,
Trichy Road, Thanjavur.

4. Selva Renganayaki @ V.S.Renganayaki Ammal

5. S.Gayathri

...Respondents



W.P(MD)No.7444 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the registration of the unilateral settlement cancellation deed dated 31.01.2014 registered as Doc.No.631/2014 on the file of the 3rd respondent and to quash the same as illegal in respect of the property in T.S.No.3018/1 of Rajan Road 4th Ward, Srinivasapuram, Thanjavur Municipality bearing Plot No.40.

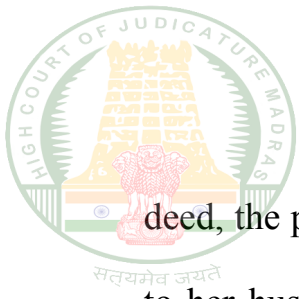
For Petitioner : Mr.P. Vadivel

For R1 to R3 : Mr.D. Sasikumar
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the registration of the unilateral settlement cancellation deed dated 31.01.2014 registered as Doc.No.631/2014 on the file of the 3rd respondent.

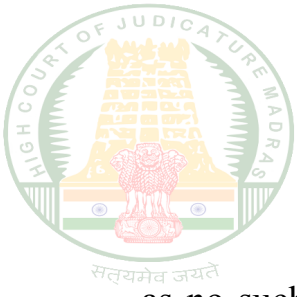
2.The 4th respondent is the petitioner's mother. The petitioner is the 2nd daughter. The property in T.S.No.3018/1 originally belonged to the petitioner's mother namely, Selvarenganayaki Ammal @ V.S.Renganayaki by virtue of registered sale deed, dated 12.06.1969 in Doc.No.1368/1969. The 4th respondent executed a registered settlement deed dated 07.03.2012 in Doc.No. 1174 of 2012 in favour of the petitioner. The petitioner had accepted the gift and was in possession and enjoyment of the same. Even after the said settlement



W.P(MD)No.7444 of 2024

deed, the petitioner's mother was residing in the said property. The petitioner due to her husband's avocation was residing at Chennai. The petitioner was paying taxes to the Government and Corporation through the petitioner's mother. While that being so, during 3rd week of January 2024, when the petitioner approached the Thanjavur Corporation for mutations, the petitioner was shocked to know that the patta for the property has been changed in the name of the 5th respondent. When the petitioner verified through encumbrance certificate, it came to the knowledge of the petitioner that on 31.01.2014, the 4th respondent has unilaterally cancelled the settlement deed, dated 07.03.2012. In turn, she had executed a settlement deed in favour of the 5th respondent on 17.04.2018.

3. When the petitioner enquired with the mother, the mother expressed ignorance of the said document. The said settlement deed executed in favour of the 5th respondent is illegal. When the 4th respondent expressed her ignorance of the cancellation, obviously, the settlement deed executed in favour of the 5th respondent is tainted with fabrication of the document. In fact, the settlement deed, dated 17.04.2018, has a recital that the parent documents are missing. On 10.09.2015, a false publication and a police complaint dated 25.07.2015 was filed, knowing it is a false complaint. Hence the petitioner has filed this writ petition to quash the registered unilateral cancellation of settlement deed, dated 31.01.2014 registered as Document No.631/2014.



W.P(MD)No.7444 of 2024

4.This Court issued notice to respondents 4 and 5 and it was returned as no such address. But that is the address given in the impugned cancellation deed. Therefore, the service is completed.

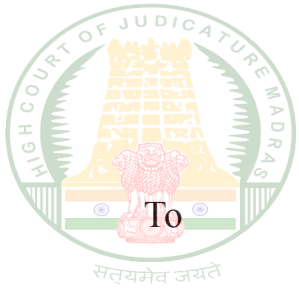
5.It is a settled proposition that once a settlement is executed and registered, the same cannot be unilaterally cancelled. The issue of unilateral cancellation of settlement deed was considered by the Hon'ble Full Bench wherein it is held that unilateral cancellation is illegal. This Court also considered the same in W.P.(MD)No.21637 of 2021, vide order, dated 17.07.2023. Therefore, the impugned unilateral cancellation of settlement deed, dated 31.01.2014 registered as Document No.631/2014 is quashed and the official respondents are directed to cancel the said entry and restore the original settlement which was executed in favour of the petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6.With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

08.08.2025

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

Tmg



W.P(MD)No.7444 of 2024

WEB COPY

1. The Deputy Inspector General Of Registration,
Registration Department,
New Collectorate Campus,
Trichy Road,
Thanjavur.
2. The District Registrar (Administration),
Registration Department,
New Collectorate Campus,
Trichy Road,
Thanjavur.
3. The Joint Sub Registrar No.1,
Thanjavur,
New Collectorate Campus,
Trichy Road,
Thanjavur.



WEB COPY



W.P(MD)No.7444 of 2024

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.7444 of 2024**

DATED : 08.08.2025