



W.P(MD)No.7126 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.06.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7126 of 2025

and

W.M.P.(MD).5367 of 2025

Minor Senthur Raj Valavan,
S/o.Kamaraj Kumar,
Reppresented by Mother and Natural Guardian,
Tmt.Saraswathi,
W/o.Kamaraj Kumar,

... Petitioner

vs.

1.The Inspector General of Registration,
Registration Department,
Santhome High Road,
Chennai - 600028.

2. The Sub Registrar
Sub Registration Office,
Pavoorsathiram,
Tenkasi District.

3.Kamaraj Kumar

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to quash the records pertains to the impugned deed of cancellation in Document No.530/2025 on the



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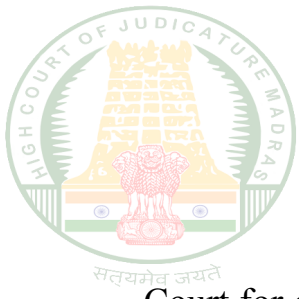
file of 2nd respondent dated 03.02.2025 and arbitrary Consequently to direct the respondents to recognize and restore the petitioners absolute title over the property as per the original settlement deed in Document No.3243/2019 dated 07.06.2019 on the file of 2nd respondent and direct the authorities to take appropriate steps against such illegal cancellations.

For Petitioner : Mr.S.Balamurugan
For Respondents : Mr.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned deed of cancellation in Document No.530/2025 on the file of 2nd respondent dated 03.02.2025 and consequently restore the petitioner's absolute title over the property through the original settlement deed in Document No.3243/2019 dated 07.06.2019.

2. The petitioner is a minor represented by his mother and natural guardian. The 3rd respondent is the petitioner's father. The 3rd respondent executed a settlement deed, Document No. 3243/2019, dated 07.06.2019. Subsequently, the 3rd respondent sought to cancel the said settlement deed and has rightly approached the civil court by filing O.S. No. 302 of 2023 before the Principal Sub Court, Sivakasi.



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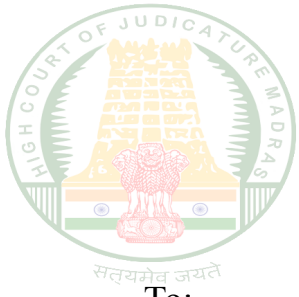
3. When the 3rd respondent had already rightly approached the Civil Court for cancellation, he again made a similar request to the registering authority to cancel the settlement deed. Such unilateral cancellation is illegal, except through a decree of a competent Civil Court. Therefore, respondents 1 and 2 ought not to have registered the cancellation deed executed on 03.02.2025. Hence, the cancellation deed registered by the 2nd respondent is illegal.

4. Accordingly, this writ petition is allowed. The impugned deed of cancellation in Document No. 530/2025, dated 03.02.2025, on the file of the 2nd respondent, is hereby quashed. The 2nd respondent is directed to restore the original settlement deed in Document No. 3243/2019, dated 07.06.2019, within a period of four weeks from the date of receipt of a copy of this order. However, the above order is without prejudice to the Civil Court proceeding. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

17.06.2025

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

KSA



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2. The Sub Registrar
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S.SRIMATHY, J.

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**ORDER MADE IN
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