



W.P(MD)No.9524 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.9524 of 2024

K.Ahamed Ibrahim

... Petitioner

Vs.

1. The District Registrar,
Office of the District Registrar,
Ramanathapuram,
Ramanathapuram District.

2. The Sub Registrar,
Office of the Sub Registrar Office,
Kilakarai,
Ramanathapuram District.

3. K.Mohideen

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to cancel the gift settlement deed bearing document No.3506 dated 12.10.2011 executed by the 3rd respondent within the period that may be stipulated by this Court.

For Petitioner	: Mr.C. Venkatesh Kumar
For R1 to R2	: Mr.S. Saji Bino Special Government Pleader
For R3	: Mr.J. Lawrence



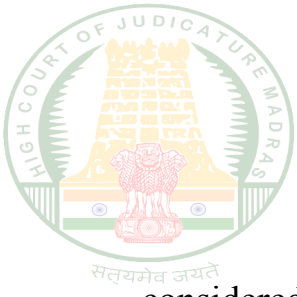
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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to cancel the cancellation of settlement deed in Document No. 3506 dated 12.10.2011 executed by the 3rd respondent.

2.The property in Survey No.94/1A2 and 94/1A2B was purchased by the 3rd respondent in Doc.No.1531 of 2007, dated 28.05.2007. The 3rd respondent is the brother of the petitioner. During the year 2009, the 3rd respondent was in financial crisis. In order to support him and retrieve him from his financial crisis, the 3rd respondent decided to sell a portion of the said land. Hence, the 3rd respondent approached the petitioner to purchase the said land, since he is in need of money. Later on, on 26.10.2009, the 3rd respondent made a gift deed in favour of the petitioner in Doc.No.2947 of 2009 and the same was registered. Thereafter, the petitioner was in possession of the land and he used to stay in the thatched house with his family on several occasions. While that being so, to the shock and surprise of the petitioner, the settlement deed executed in favour of the petitioner on 26.10.2009 was unilaterally cancelled by he 3rd respondent vide Document No. 3506, dated 12.10.2011. Since the unilateral cancellation was done behind the back of the petitioner, the petitioner approached the 2nd respondent to cancel the same. Since the 2nd respondent failed to do so, the present petition is filed.



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3.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.

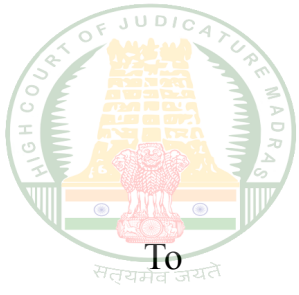
4.In the present case, the 3rd respondent has cancelled the deed unilaterally. Hence, the same is illegal and it ought to be cancelled. Therefore the 2nd respondent is directed to cancel the unilateral cancellation of settlement deed, dated 12.10.2011 and restore the original settlement deed. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5.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



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.9524 of 2024**

DATED : 08.08.2025