



W.P(MD)No.10516 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.10516 of 2025

and

W.M.P.(MD)Nos.7860 & 7861 of 2025

Dr.V.Baskaran

... Petitioner

vs.

1. The District Registrar,
O.o. The District Registrar,
Theni District,
Theni.

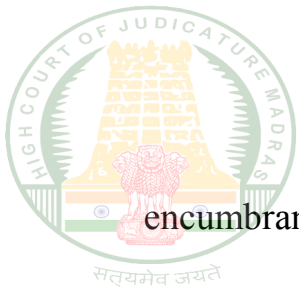
2. The Sub-Registrar,
Sub-Registrar Office,
Kambam,
Theni District.

3. Mayilammal

4. Latha

... Respondents

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 cancellation deed Document No.1517 of 2023 dated 10.03.2023 on the file of the second respondent and to quash the same and consequently, to direct the respondent 1 and 2 to remove the entry regarding the same from the



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encumbrance register.

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For Petitioner

: Mr.S.Shanmugam

For R-1 & 2

: Mr.D.Sasikumar

Additional Government Pleader

For R-3 & 4

: No appearance

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the cancellation deed Document No.1517 of 2023 dated 10.03.2023 on the file of the second respondent and consequently, to direct the respondent 1 and 2 to remove the entry regarding the same from the encumbrance register.

2. It is seen from the records that Court notice were sent to the respondents 3 and 4 and the same were refused. Refusal of notice amounts to service completed.

3. The petitioner is the son of the third respondent and the fourth respondent is the sister of the petitioner. The third and fourth respondents have cancelled the settlement deed which was executed in favour of the petitioner on



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24.01.2012 and there was no condition in the said settlement deed. In spite of the same, the third and fourth respondents unilaterally executed a cancellation deed and registered the same in Document No.1517 of 2023 dated 10.03.2023.

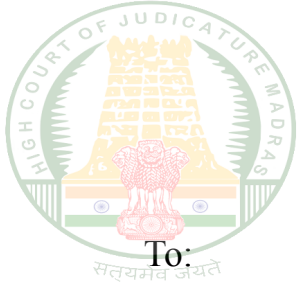
4. The issue of unilateral cancellation of settlement deeds has already been elaborately considered by the Full Bench of this Court, wherein it is held that if there is no condition in the settlement deed, unilaterally cancellation is illegal. Therefore, the registration of the cancellation deed is illegal. Accordingly, the said cancellation deed is quashed. The second respondent is directed to restore the original settlement deed.

5. With the above said direction, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

11.06.2025

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

jbr



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To:

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1. The District Registrar,
O.o. The District Registrar,
Theni District,
Theni.
2. The Sub-Registrar,
Sub-Registrar Office,
Kambam,
Theni District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.10516 of 2025

DATED : 11.06.2025