



W.P(MD)No.17451 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17451 of 2024

Y.Porkodi,

Represented by Her Mother and Natural Guardian,

C.Shanmugapriya,

... Petitioner

Vs.

1. The District Registrar,

Office of the District Registrar,

Madurai, Madurai District.

2. The Sub Registrar,

Office of the Sub Registrar Office,

Sholavandhan,

Madurai District.

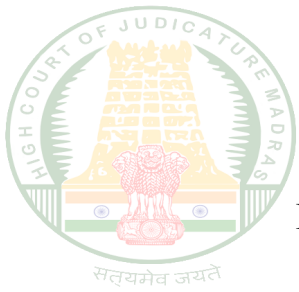
3. C.Rasu @ Vallavan

...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.818 dated 02.05.2014 executed by the 3rd respondent within the period that may be stipulated by this Court.

For Petitioner

: Mr.H. Mohammed Imran



W.P(MD)No.17451 of 2024

WEB COPY

For R1 & R2

: Mr.S. Kameshwaran
Government Pleader

For R3

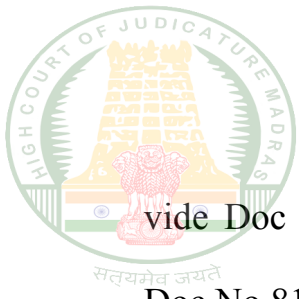
: Mr.A. Siva Subramanian

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 2nd respondent to cancel the Gift Settlement deed bearing Document No.818 dated 02.05.2014 executed by the 3rd respondent.

2.The petitioner had married one Yuvaraj on 14.06.2010 before the family members and they were blessed with a baby girl namely, Y.Porkodi. Unfortunately, the petitioner and her husband met with an accident on 28.08.2013 and the petitioner's husband succumbed to the injuries and died on the same day. The petitioner was in a continuous treatment for a period of four months and FIR was also registered on 28.08.2013.

3.The property situated in Survey No.505 and 506/5 originally belonged to 3rd respondent's parents namely, Chinnasamy Thevar (father) and Kaliasammal (mother). The 3rd respondent's parents had executed a gift deed in favour of the 3rd respondent on 08.01.2008. Thereafter, he had mutated the records and the patta stands in favour of the 3rd respondent. The 3rd respondent in turn had executed a gift deed in favor of the petitioner's daughter namely Porkodi,



W.P(MD)No.17451 of 2024

vide Doc No.530, dated 14.03.2014 but the same was unilaterally cancelled in Doc.No.818, dated 02.05.2014. Since it is an unilateral cancellation, the petitioner has filed the present writ petition.

4.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.

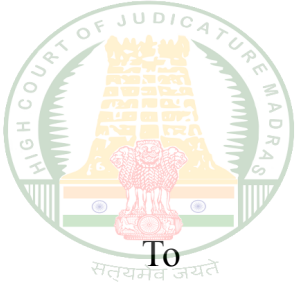
5.In the present case, the 3rd respondent has cancelled the deed unilaterally. Hence the same is illegal. Therefore, the 2nd respondent is directed to cancel the unilateral cancellation of settlement deed, dated 02.05.2014 and restore the original settlement deed. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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.17451 of 2024

To

WEB COPY

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

2. The Sub Registrar,
Office of the Sub Registrar Office,
Sholavandhan,
Madurai District.



WEB COPY



W.P(MD)No.17451 of 2024

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.17451 of 2024**

DATED : 08.08.2025