



W.P(MD)No.18090 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.18090 of 2021

and

W.M.P(MD)No.14927 of 2021

N.Balasubramani

... Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome Road,
Raja Annamalaipuram,
Chennai – 600 028.

2.The District Registrar (Administration),
Office of the District Registrar,
Post Office Road, Anna Nagar,
Palani Town and Taluk,
Dindigul District.

3.The Sub Regsitrar,
Palani Sub Registration Office,
Palani Town and Taluk,
Dindigul District.

4.P.Ponram

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings issued by the second respondent in Na.Ka.No.3346/C1/2019 dated 07.12.2020 pertaining to the settlement deed vide Document No.696 of 2011 dated 14.03.2011 executed by Chinna Ammani in favour of the fourth



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respondent in the office of the third respondent and quash the same and consequently direct the respondents 1 to 3 to remove the entry of sale deed in Document No.696 of 2011 dated 14.03.2011 from the records within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran
For RR 1 to 3 : Mr.D.Sadiq Raja
Additional Government Pleader
For R – 4 : No appearance

ORDER

This Writ Petition has been filed by the petitioner challenging the order passed by the second respondent dated 07.12.2020 thereby declaring that the settlement deed registered vide Document No.696 of 2011, dated 14.03.2011 as a fraudulent one and directed the petitioner to approach the civil Court to declare the title in his favour.

2.On perusal of the order impugned in this Writ Petition would reveal that the second respondent conducted a detailed enquiry on the complaint lodged by the petitioner and declared that the settlement deed which is under challenge vide Document No. 696 of 2011 is a fraudulent one. However, though the second respondent has no power to cancel the settlement deed, once again



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directed the petitioner to approach the civil Court for declaration in respect of the subject property belonged to him. Once the settlement deed registered vide Document No.696 of 2011 is declared as a fraudulent one, it can be very well registered in the book of records by the registering authority. Therefore, the petitioner need not approach the civil Court for a declaration of the property in his favour.

3.In view of the above, the direction issued by the second respondent thereby directing the petitioner to approach the civil Court alone is set aside and the third respondent is directed to record the findings of the second respondent in the book of records in respect of the subject property forthwith.

4.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

09.01.2025

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



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To

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G.K.ILANTHIRAIYAN, J.

ps

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