



W.P(MD)No.19482 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19482 of 2024

1.Shenbagaperumal

2.K.Shenbagalakshmi

3.P.Shenbagavali

... Petitioners

Vs

1.The Sub Registrar,
Nagamalai Puthukottai,
Sub Register Office.

2.Shenbagaraj

... Respondents

PRAAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration, to declare the deed of Unilateral Cancellation of settlement deed dated 18.09.2012 executed by the second respondent and registered on the file of the first respondent as document No. 3097/2012 and the subsequent registration of settlement deed dated 18.09.2012 executed by the second respondent in favour of his wife Gokila, registered as document No.3098/2012 as null and void and in consequence thereof direct the first respondent to cancel the entries from Book No.1 maintained by him.

For Petitioners : Mr.V.Shathurthi Raja

For Respondents : Mr.S.Sajibino (for R1)
Special Government Pleader
Mr.M.Rajesh (for R2)



W.P(MD)No.19482 of 2024

ORDER

WEB COPY

The present Writ Petition has been filed for the issuance of a Writ of declaration, to declare the deed of Unilateral Cancellation of settlement deed dated 18.09.2012 executed by the second respondent and registered on the file of the first respondent as document No.3097/2012 and the subsequent registration of settlement deed dated 18.09.2012 executed by the second respondent in favour of his wife Gokila, registered as document No.3098/2012 as null and void and consequently, direct the first respondent to cancel the entries from Book No.1 maintained by him.

2.The case of the petitioner is that originally the first petitioner's wife namely, Meenakshi, has executed settlement deed in favour of her son/second respondent namely, Shenbagaraj, vide registered Doc No.2508 of 2011, dated 29.06.2011. Thereafter, the second respondent has voluntarily executed a gift deed in favour of the first petitioner, vide registered Doc.No.809 of 2012, dated 07.03.2012. While so, on 25.03.2024, the first petitioner's wife died. Thereafter, the second respondent cancelled the gift settlement deed dated 07.03.2012 through cancellation deed vide Doc No.3097 of 2012, dated 18.09.2012. And on the same day, the second respondent has executed a settlement deed in favour of his wife vide registered Doc.No.3098 of 2012, dated 18.09.2012.



W.P(MD)No.19482 of 2024

3.The issue relating to the unilateral cancellation of the settlement deed has already been settled by the Hon'ble Full Bench of this Court. In the present case, the second respondent has unilaterally cancelled the settlement deed, which was executed in favour of the first petitioner in Doc No.3097 of 2012, dated 18.09.2012. Based on the cancellation, the first petitioner was not allowed to stay in the house of the second respondent. Therefore, the unilateral cancellation of the settlement deed is illegal.

4.In view of the above, the impugned registration of unilateral cancellation deed and settlement Deed passed by the second respondent in Document Nos., 3097 and 3098 of 2012, dated 18.09.2012 are hereby quashed. The first respondent is hereby directed to cancel the entries from Book No.1 maintained by the first respondent. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

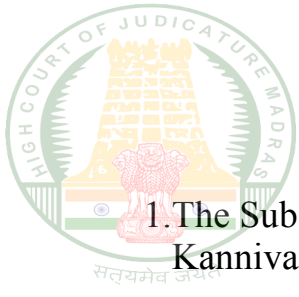
5.With the above directions, this writ petitions stands allowed. No costs.

08.07.2025

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

To

3/5



W.P(MD)No.19482 of 2024

1. The Sub Registrar,
Kannivadi Sub Registrar Office, Dindigul District.

WEB COPY



WEB COPY



W.P(MD)No.19482 of 2024

S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.19482 of 2024**

DATED : 08.07.2025