



WEB COPY

WP No. 8263 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 8263 of 2026

M.Gurunathan

Petitioner(s)

Vs

1.The Sub Registrar,
Kodambakkam, Chennai.

2.G.Praveen Kumar

3.The Revenue Divisional Officer,
Chennai Central

(the third respondent impleaded suo motu
by this Court vide order dated 09.03.2026 by AQJ)

Respondent(s)

PRAYER

Directing the 1st Respondent to cancel the settlement deed 10/11/2022 registered as Document No.4867 of 2022 in the office of 1st respondent.

For Petitioner(s): Mr.R.Radha Pandian

For Respondent(s): Mr.U.Baranidharan,SGP for R1

ORDER

The petitioner seeks for cancellation of the settlement deed dated 10.11.2022 by the first respondent through this writ petition.



2.The petitioner claims that he is a senior citizen and he had executed a settlement deed dated 10.11.2022 in favour of the second respondent, who is his son.

3.According to him, under the settlement deed dated 10.11.2022, conditions were imposed making it obligatory for the second respondent to maintain the petitioner during his lifetime. According to the petitioner, since those conditions have not been satisfied by the second respondent, the petitioner seeks for cancellation of the settlement deed dated 10.11.2022 by the first respondent.

4.Section 77-A of the Registration Act, which enables the first respondent to cancel the registered documents, has now been held to be unconstitutional by the Division Bench of this Court and therefore, a direction cannot be issued to the first respondent to cancel the settlement deed dated 10.11.2022 as prayed for even assuming that the statement made by the petitioner through the affidavit filed by him before this Court is found to be true. The only remedy available to the petitioner is to either approach the civil court or initiate proceedings under the Senior Citizens Act seeking for cancellation of the settlement deed dated 10.11.2022, executed by him in favour of his son, namely the second respondent.



5.Learned counsel for the petitioner, on instructions would now submit that the petitioner is willing to submit an application before the competent authority as per the provisions of the Senior Citizens Act seeking for cancellation of the settlement deed dated 10.11.2022 and a direction may be issued by this court to the said competent authority to consider the same, on merits and in accordance with law, within a time frame to be fixed by this Court.

6.Since the Revenue Divisional Officer, Chennai Central is the competent authority to adjudicate the application of the petitioner seeking for cancellation of registered documents under the Senior Citizens Act, the Revenue Divisional Officer, Chennai Central is impleaded as party third respondent in this writ petition, by exercising this Court's suo motu powers. Registry is directed to carry out the necessary amendment.

7.Mr.U.Baranidharan, learned Special Government Pleader accepts notice on behalf of respondents 1 and 3.

8.For the foregoing reasons, this writ petition is disposed of by directing the petitioner to submit an application before the newly impleaded third respondent seeking for cancellation of the Settlement Deed dated 10.11.2022



registered as document No.4867 of 2022 as per the provisions of Section 23 of the Senior Citizens Act, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said application within the stipulated time, the third respondent shall pass final orders, on merits and in accordance with law by adhering to the principles of natural justice and after hearing the objections of the second respondent, within a period of four months thereafter. No costs.

vga

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To

The Sub Registrar,
Kodambakkam, Chennai.



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ABDUL QUDDHOSE J.

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