

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. No.5023 of 2018

M.Manokaran

...Petitioner

Vs.

- 1.The Inspector General of Registration,
Santhome High Road, Chennai 600 028.
- 2.The Sub-Registrar,
Sriperumbudur,
Kancheepuram District.
- 3.A.Murugesan
- 4.P.Ramesh
- 5.S.Rajendran
- 6.Manimegan
- 7.Jothila
- 8.V.Arumugam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the First and Second Respondents to consider the Petitioner's representation dated 12.01.2018 to cancel the sale deeds dated 03.05.2000 Doc. No.2300/2000, 2) 26.05.2000, Doc. No.3369/2000, 3) 07.06.2000 Doc. No.3370/2000, 4) 07.06.2000 Doc. No.3371/2000 and 07.06.2000 Doc. No.3372/2000 from Book-I of the First Respondent.

For Petitioner : Mr.G.Appavu
For R-1 and R-2 : Mr.T.M.Pappiah,
Special Government Pleader
O R D E R

When it is pointed out by Mr. T.M. Pappiah, Learned Special Government Pleader, who takes notice for the First and Second Respondents, that the Petitioner cannot call upon the Registering Authority to cancel registration of a document executed between some other persons relating to the property claimed to be owned by the Petitioner and his remedy in that regard is to institute suit in the jurisdictional Civil Court invoking Section 31 of the Specific Relief Act, 1963, as held by the Full Bench of this Court in Muppudathi Pillai -vs-

Krishnaswami Pillai (AIR 1960 Madras 1), while considering Section 39 of the Specific Relief Act, 1877 (corresponding to Section 31 of the Specific Relief Act, 1963), which has been reiterated by the Division Bench of this Court in P. Rukamani -vs- Amudhavalli (Judgment dated 17.07.2019 in W.A. No. 229 of 2018), Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

rkp
To

- 1.The Inspector General of Registration,
Santhome High Road, Chennai 600 028.
- 2.The Sub-Registrar,
Sriperumbudur,
Kancheepuram District.

+1 CC to Mr.G.Appavu, Advocate sr 61730.
+1 CC to Govt. Pleader sr 62404

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RJI (CO)
SP(21/08/2019)

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