

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.07.2019

CORAM

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

W.P. No.9275 of 2019

Prakash Choudary

...Petitioner

Vs.

1.The District Registrar,
Sub-Jail Road,
Krishnagiri,
Krishnagiri District.

2.The Sub-Registrar No-II,
Krishnagiri Sub-Registrar Office,
Sub-Jail Road, Krishnagiri,
Krishnagiri District.

... Respondents

PRAYER: 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 representation dated 22.02.2019.

For Petitioner : Mr. A.P.Sathya Murthy

For Respondents: 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 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 him 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petition is closed. No costs.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

To

1.The District Registrar,
Sub-Jail Road,
Krishnagiri,
Krishnagiri District.

2.The Sub-Registrar No-II,
Krishnagiri Sub-Registrar Office,
Sub-Jail Road, Krishnagiri,
Krishnagiri District.

+1 CC to Mr.A.P. Sathiyamurthy, Advocate sr 63604.

+1 CC to Spl. Govt. Pleader sr 64248.

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NR(CO)
SP(13/08/2019)

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