

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2019

CORAM

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

W.P. No.11528 of 2019
and W.M.P.Nos.11785 of 2019

A.Valli Meenal

...Petitioner

Vs.

1.The Inspector General of Registration
No.120, Santhome High Road
Santhome, Chennai 600 028

2.The District Registrar (Administration)
Central Chennai
182, Bharathi Road
Royapettah, Chennai-14

3.The Sub Registrar
Office of Sub Registrar, Kodambakkam
Chennai 600 024

4.N.Sivanath(minor) (*)

5.T.A.Natarajan

.... Respondents

(*) Rep.by his natural guardian Mr.T.A.Natarajan

**(R4 & R5 are impleaded vide order dated
29.4.19 made in WMP.No.13066/19 in WP.No.11528/19)**

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari Mandamus, to call for the records relating to the impugned order of the 2nd respondent dated 26.02.2019 vide No.1271/A2/2019 and subsequent Refusal Check Slip issued by the 3rd respondent dated 27.03.2019 vide No.RFL/Kodambakkam 1/2019, to the petitioner, and quash the same and to direct the respondents to admit registration of the unilateral cancellation of settlement deed vide document No.357/2010 on the file of SRO, Kodambakkam.

For Petitioner : Mr.H.Mohammed Farook

For Respondents : Mr.T.M.Papiah,

Special Government Pleader

ORDER

The Petitioner is aggrieved by the refusal of the Registering Authority to register the deed of cancellation of an earlier document executed by him in respect of his property.

2.When it is pointed out that the Petitioner cannot call upon the Registering Authority to register such document in view of the decision of the Full Bench of this Court in M/s. Latif Estate Line India Ltd. -vs- Hadeeja Ammal [(2011) 2 CTC 1

(FB)], and his remedy in that regard is to institute suit for such relief before the jurisdictional Civil Court or to file application before the competent authority invoking Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to either of those remedies and he has made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(I.C.)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector General of Registration
No.120, Santhome High Road, Santhome, Chennai 600 028

2.The District Registrar (Administration)
Central Chennai, 182, Bharathi Road
Royapettah, Chennai-14

3.The Sub Registrar
Office of Sub Registrar, Kodambakkam, Chennai 600 024

+1 cc to M/s.H.Mohammed Farook, Advocate Sr.No. 64579
+1 cc to The Special Government Pleader Sr.No.64713

सत्यमेव जयते

W.P. No.11528 of 2019

NR(C.O.)
AKM/16.08.19/2P-6C/

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