

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2019

CORAM:

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

W.P.NO.19103 OF 2019

S.Murugesan

... Petitioner

Vs.

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
Santhom, Chennai - 600 004.
2. The Sub Registrar,
O/o. The Sub Registrar,
Vridhachalam,
Cuddalore District.
- 3.Saraswathi
- 4.C.Thiyagarajan
- 5.S.Saroja
- 6.T.Mangayarkarasi
- 7.U.Mahalakshmi
- 8.P.Vijayakumar
- 9.S.Sathyamoorthi

... Respondents

Prayer:-

Writ petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the First and Second Respondents herein to cancel the forged document vide Doc. No.2436/2018 dated 31.07.2018 and subsequent documents vide Doc. No.3438/2018 dated 24.09.2018 and Doc. No.3437/2018 dated 24.09.2018 executed by the Third and Fifth respondents respectively based upon the petitioner's representation dated 12.01.2019.

For Petitioner : Mr.S.Sathiyaseelan
For Respondents: Mr.T.M.Pappiah [For R1 & R2]
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 two parties relating to a property claimed to be owned by him and his remedy in that regard is only to approach 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 another Full Bench of this Court in M/s. Latif Estate Line India Ltd. -vs- Hadeeja Ammal [(2011) 2 CTC 1 (FB)], Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the aforesaid remedy and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

may a

To

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhom, Chennai - 600 004.
2. The Sub Registrar,
O/o.The Sub Registrar,
Vridhachalam, Cuddalore District.

+1cc to the Government Pleader, S.R.No.56870

W.P.No.19103 of 2019

PA(CO)
CS/25/07/2019

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