

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2019

CORAM

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

W.P.No.13945 of 2019

G.C.Ramasamy

... Petitioner

Vs.

1. The Director General of Registration,  
Santhome, Chennai - 600 028.
2. The District Registrar,  
District Registrar Office,  
Thiruvannamalai Road,  
Krishnagiri, Krishnagiri District.
3. The Sub-Registrar,  
Hosur, Krishnagiri District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the First and Second Respondents to take action against the Third Respondent for acting in a ultra virus manner unknown to law in accordance with law.

For Petitioner : M/s.R.Aparna

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 First to Third 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. Rukumani

-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 she has made an endorsement to that effect, which is recorded.

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-  
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

may

To

1. The Director General of Registration,  
Santhome, Chennai - 600 028.
2. The District Registrar,  
District Registrar Office,  
Thiruvannamalai Road,  
Krishnagiri, Krishnagiri District.
3. The Sub-Registrar,  
Hosur, Krishnagiri District.

+1cc to the Government Pleader, S.R.No.68086

W.P.No.13945 of 2019

VBA(CO)  
CS/22/08/2019

सत्यमेव जयते

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