

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2019

CORAM

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

W.P. No. 19727 of 2019

and

W.M.P.No. 19243 of 2019

N. Ponraj

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 004.
2. The District Registrar (Administration)
South Chennai,
Guindy, Chennai - 600 032.
3. The Sub Registrar Joint- 2,
Thiru Vi.Ka Industrial Estate,
Guindy, Chennai - 600 032.
4. Vendam Amirthammal
5. A. Saravana Pandian
6. G. Karthika

.... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Second Respondent to remove the entry sale deed dated 20.12.2018, registered as document No.2699/2018 on the file of Third Respondent.

For Petitioner : Mr. R. Baskar

For Respondents : Mr. T.M. Pappiah
Special Government Pleader (for R1 to R3)

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

maya

To

1. The Inspector General of Registration
Santhome High Road
Mylapore, Chennai - 600 004.
2. The District Registrar (Administration)
South Chennai
Guindy, Chennai - 600 032.
3. The Sub Registrar Joint- 2
Thiru Vi. Ka. Industrial Estate
Guindy, Chennai - 600 032.

+1cc to Mr.R.Baskar, Advocate, S.R.No. 60384

+1cc to the Special Government Pleader, S.R.No. 61903

W.P.No.19727 of 2019

NR(CO)

GN(26/07/2019)