

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.06.2019

CORAM:

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

W.P. No. 17601 of 2019

N. Sakila

... Petitioner

Vs.

1.The Inspector General of Registration Department
120, Santhome High Road
Chennai - 600 028.

2.The District Registrar
Registration Department
Chengalpattu.

3.The Sub Registrar No.2
Chengalpattu SRO
Chengalpattu.

4.Thiru. K. Ravichandran

5.Thirumati. K. Jamuna Rani

.... Respondents

Petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the First Respondent herein to consider the representation submitted by the Petitioner on 02.11.2016 for removing the names of Swetha and Jamuna Rani in the E.C. On the file of Third Respondent and entering Petitioner's name relating to the land in Survey No.239/2B.

For Petitioner : Mr. P. Chandrasekaran

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

ORDER

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector General of Registration Department
120, Santhome High Road
Chennai - 600 028.
- 2.The District Registrar
Registration Department
Chengalpattu.
- 3.The Sub Registrar No.2
Chengalpattu SRO
Chengalpattu.

+1cc to Mr. P. Chandrasekaran, Advocate sr.52099

+1cc to Government Pleader sr.53477

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nr 13/08/2019

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