

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2019

CORAM

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

W.P. No. 21612 of 2019

and

W.M.P. Nos. 20831 and 20832 of 2019

1. S. Yeruva Sunil Joseph Reddy

2. Shailaja Jeevaratnam

(1 & 2 represented by their Power Agent
S.Karthikeyan,
S/o. Selvakkani,
New No. 453/Old No. 195,
Thiruvotriyur High Road,
Thiruvotriyur, Chennai - 600 019. ... Petitioners

-Vs-

1. The Inspector General of Registration,
Office of The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2. The District Registrar,
Bricklin Road, Otteri,
Purasaiwakkam,
Chennai - 600 012.

3. The Sub-Registrar,
Office of the Sub-Registrar,
Konnur High Road,
South Thirumalai Nagar,
Villivakkam, Chennai - 600 049.

4. M.Devi

5. C.Murugan

... Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India, praying to issue a Writ of Mandamus,

directing the First Respondent to conduct enquiry with respect to the execution of Settlement Deed bearing Document No. 4467 of 2016 dated 12.09.2016 registered before the SRO, Konnur, executed by the Fifth Respondent in favour of Fourth Respondent and to pass orders by considering the Petitioner's Representation dated 27.06.2018 within a stipulated time frame.

For Petitioners : Mr. K.Sathish
for M/s. Kaavya Silambanan Associates

For Respondents : Mr. T. M. Pappiah for R1 to R3
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 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 the Division Bench of this Court in P. Rukamani -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 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. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

vji

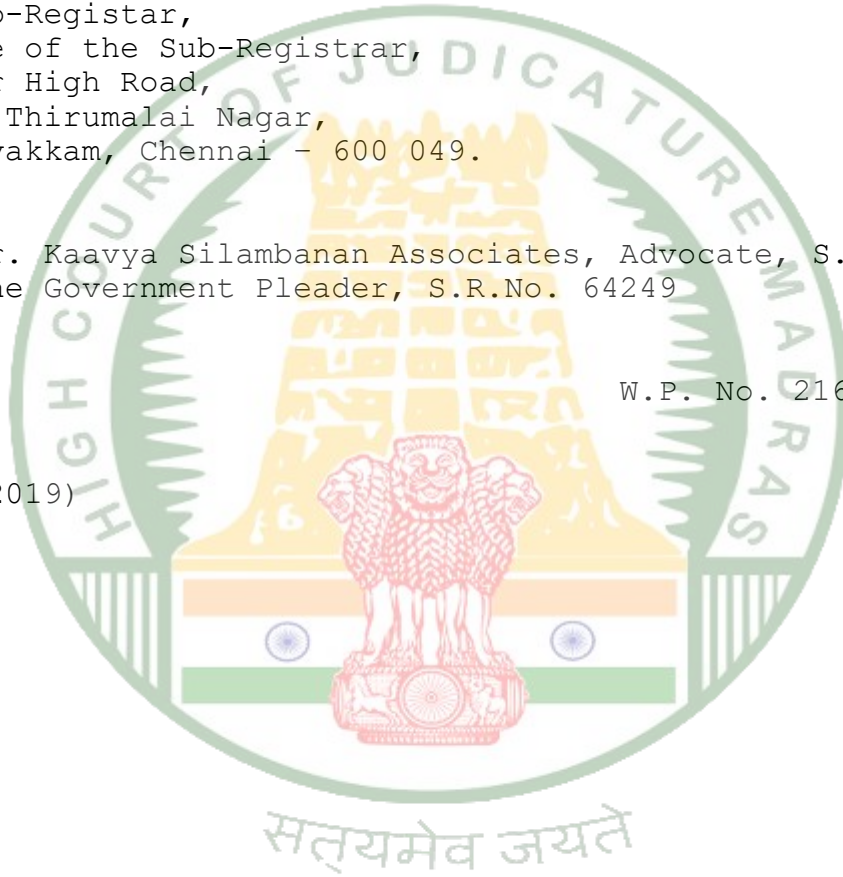
To

1. The Inspector General of Registration,
Office of The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
2. The District Registrar,
Bricklin Road, Otteri,
Purasaiwakkam,
Chennai - 600 012.
3. The Sub-Registrar,
Office of the Sub-Registrar,
Konnur High Road,
South Thirumalai Nagar,
Villivakkam, Chennai - 600 049.

+1cc to Mr. Kaavya Silambanan Associates, Advocate, S.R.No. 63591
+1cc to the Government Pleader, S.R.No. 64249

W.P. No. 21612 of 2019

RSK(CO)
GN(16/08/2019)



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