

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 31.07.2019
CORAM
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU
WP. No. 20691 of 2019
and
WMP. Nos. 20666 and 20162 of 2019

B.Ramachandran

..Petitioner

Vs.

1.The Inspector General of Registration
Santhome High Road
Chennai 600 004.

2.The Sub Registrar
Alandur, Chennai 600 013.

3.A.R.Subalakshmi

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to unilateral cancellation of settlement deed in Document No.1019/2019 dated 05.03.2019 and subsequent settlement deed in Document No.1096/2019 dated 05.03.2019 on the file of the Second Respondent and quash the same and consequently direct the first and second Respondents to remove the encumbrance entries of the unilateral cancellation of settlement deed Document in No.1019/2019 dated 05.03.2019 and subsequent settlement deed in Document No.1096/2019 dated 05.03.2019 from the A Register in the office of the Sub-Registrar, Alandur in connection with a land and building at No.77, New No.18, Vembuli Amman Koil Street, Alandur, Chennai 16 comprised in Survey Nos.45/9, 45/14 of Alandur Village measuring an extent of 5514 Sq.ft.

For Petitioner : Mr. V.Raghavachari

For Respondents : Mr. T.M.Pappiah,
for R1 & R2
Special Government Pleader

: R3 - service awaited

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

dna
To

1.The Inspector General of Registration
Santhome High Road
Chennai 600 004.

2.The Sub Registrar
Alandur, Chennai 600 013.

+1 cc to Government Pleader Sr.No. 66314

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A.SK(19/08/2019)