

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2019

CORAM

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

W.P. No. 21271 of 2019

and

W.M.P. Nos. 20477 and 20478 of 2019

S. Noorjahan

...

Petitioner

Vs.

1. The Inspector General of Registration
100, Santhome High Road,
Mullimma Nagar, Mandavelipakmam,
Raja Annamalaipuram, Chennai - 600 028.
2. The District Registrar
Office of the District Registrar,
Nagapattinam,
Nagapattinam District.
3. The Sub Registrar,
Vedaranyam,
Vedaranyam Town & Taluk,
Nagapattinam District.
4. The Tahsildar,
Office of the Tahsildar,
Vedaranyam,
Vedaranyam Town and Taluk,
Nagapattinam District.

5. Mrs. Noorjahan Beevi

...

Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records in relates to the proceeding of the Second Respondent in Na.Ka.No. 19/Aa1/2019 dated 09.01.2019 and quash the same and consequently direct the Second and Third Respondents to cancel the forged sale deed executed by Fifth Respondent vide document No. 253 of 2012 within the Sub Registrar of Vedaranyam, Vedaranyam Town and Taluk, Nagapattinam District.

For Petitioner : Mr. V. Kasinatha Bharathi

For Respondents : Mr. T.M. Pappaiah
(For R1 to R3)
Special Government Pleader
: Mr. E. Neelakandan (For R4)
Government Advocate

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

सत्यमेव जयते
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1. The Inspector General of Registration
100, Santhome High Road,
Mullimma Nagar, Mandavelipakmam,
Raja Annamalaipuram, Chennai - 600 028.

2. The District Registrar
Office of the District Registrar,
Nagapattinam,
Nagapattinam District.

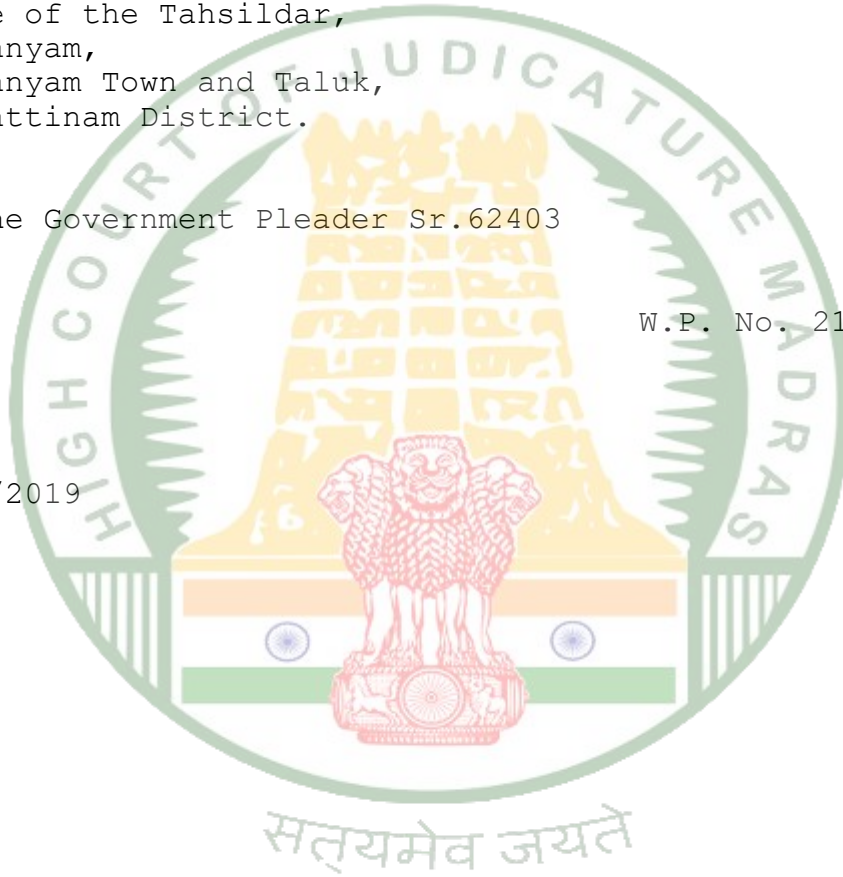
3. The Sub Registrar,
Vedaranyam,
Vedaranyam Town & Taluk,
Nagapattinam District.

4. The Tahsildar,
Office of the Tahsildar,
Vedaranyam,
Vedaranyam Town and Taluk,
Nagapattinam District.

+1cc to the Government Pleader Sr.62403

W.P. No. 21271 of 2019

nr[co]
srg 16/08/2019



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