

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.08.2019

CORAM
THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU
W.P. No. 23482 of 2019
and
W.M..P.Nos. 23282 and 23287 of 2019

1. R. Senthamizselvi
2. J. Poonkodi
3. D. Malarvizhi
4. R. Sangeetha

... Petitioners

-Vs-

1. The Sub-Registrar,
Elavanasur,
Villupuram District.
2. Kuppammal
3. Srinivasan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned proceedings relating to the registration of unilateral cancellation deed dated 18.12.2018 vide Document No. 3816/2018 on the file of the First Respondent and quash the registration of the above document dated 18.12.2018 and consequently direct the first respondent to revoke the registration done in respect of the above said property.

For Petitioners : Ms. R. Poornima
For Respondents : Mr. T.M. Pappiah for R1,
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 Respondent, that the Petitioners 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 the Petitioners and their 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 Petitioners 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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(Insp.Cell)

//True Copy//

Sub Assistant Registrar

To

The Sub-Registrar,
Elavanasur,
Villupuram District.

+1cc to Ms. R. Poornima, Advocate sr.70358
+1cc to Government Pleader sr.70232

W.P. No. 23482 of 2019
and

W.M..P.Nos. 23282 and 23287 of 2019

mg(co)
nr 27/08/2019

सत्यमेव जयते

WEB COPY