

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU
W.P. No.22773 of 2019

V.Gopal Reddy
... Petitioner

Vs.

1. The District Revenue Officer,
District Revenue Office,
District Collectorate Building,
Krishnagiri.
2. The Thasildar,
Taluk Office,
Hosur - 635 109
Krishnagiri District.
3. The District Registrar,
District Registration Office,
Thiruvannamalai Road,
Krishnagiri.
4. The Sub-Registrar,
Sub Registration Office,
Hosur, Krishnagiri District. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents to conduct a detailed enquiry as per the representation dated 13.06.2019 with in a time frame that may be fixed by this Court.

For Petitioner : M/s. R. Aparna

For Respondents : Mr. R. Venkatesh for R1 & R2
Government Advocate

Mr. T.M. Pappiah for R3 & R4
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 Third and Fourth 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 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 same and she 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,
District Revenue Office,
District Collectorate Building, Krishnagiri.
2. The Thasildar,
Taluk Office,
Hosur - 635 109 Krishnagiri District.
3. The District Registrar,
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4. The Sub-Registrar,
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Hosur, Krishnagiri District.

+1 cc to Government Pleader Sr.No. 66723

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A.SK(22/08/2019)