



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.08.2019

CORAM:

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

W.P. No. 24718 of 2019

Dr.Ambedkar Salai and Muthiah Nagar -2
Resident Public Welfare Association
Registered No.624 2012
Represented By its President
S.N.A.Perumal Pillai

... Petitioner

Vs.

1.Inspector General of Registration,
No.100, santhome High Road,
Santhome, Chennai -4.

2.The District Registrar,
Kancheepuram,
Kancheepuram District.

3.The Sub-Registrar,
Pallavaram,
2nd Main Road, New Colony,
Pallavaram - Chrompet,
Chennai - 600 044.

4.M.Dilli Babu

5.S.Susila

... Respondents

Prayer:- Writ petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus directing the Respondent to dispose of the enquiry proceedings initiated on the basis of the Petitioner's representation dated 14.09.2019 and 29.10.2018 seeking action against the Respondents 4 and 5 for Registration of fraudulent settlement deed dated 24.08.2018 registered as Document No.6773 of 2018 on the file of the Third Respondent in time bound manner under Section 82 and 83 of the Registration Act and as per Circular No.41530/U1/2017 dated 08.11.2017.

For Petitioner : Mr.R.Chandra Sudan

For Respondents: Mr.T.M.Pappiah

Special Government Pleader for R1 to R3



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 and their 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 he has made an endorsement to that effect, which is recorded.

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. Inspector General of Registration,
No.100, Santhome High Road,
Santhome, Chennai -4.

2. The District Registrar,
Kancheepuram,
Kancheepuram District.

3. The Sub-Registrar,
Pallavaram,
2nd Main Road, New Colony,
Pallavaram - Chrompet,
Chennai - 600 044.

+1 CC to Mr.R.Chandrasudan, Advocate sr 72191.

+1 CC to Govt. Pleader sr 73443.

W.P. No. 24718 of 2019

SP(28/08/2019)