



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2019

CORAM

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

W.P. No.34829 of 2019

N.Mahalakshmi

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Santhome.

2.The Sub-Registrar,
Sub-Registrar Office,
Adayar.

3.Mrs.Mary

4.Jerome Iruthayadhas

... Respondents

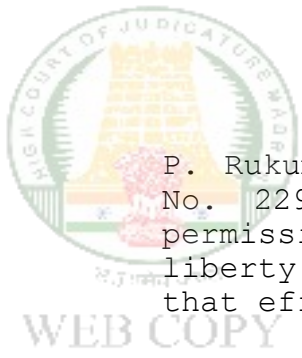
Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Second Respondent to cancel the Sale Deed Doc. No.534 of 2001 dated 09.03.2001 and Sale Deed Document No.2899 of 2018 dated 30.11.2018 and cancel the same in the light of Judgment in S.A.No.1424 of 2003 dated 01.04.2015.

For Petitioner : Mr. D. Sridevi

For Respondents: Mr. M. Thamizharasan,
Government Advocate (For R1 & R2)

O R D E R

When it is pointed out by Mr. M. Tamizharasan, Learned Government Advocate, 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 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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-III)

//True Copy//

Sub Assistant Registrar

jrs/maya

To

1. The Inspector General of Registration,
Santhome High Road,
Santhome.

2. The Sub-Registrar,
Sub-Registrar Office,
Adayar.

+lcc to the Government Pleader, S.R.No. 105336

W.P. No. 34829 of 2019

GP(CO)
GN(03/01/2020)