



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.21009 of 2019

and

W.M.P(MD)No.17605 of 2019

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Mathavan

... Petitioner

vs.

1.The Sub-Registrar,
Office of the Sub-Registrar,
Thiruverumbur,
Tiruchirappalli.

2.C.Arumugam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings dated 05.04.2019 and quash the same as illegal and consequently direct the first respondent herein to register the Mortgage Deed dated 26.12.2018 executed by the petitioner in favour of one Balamurali which is on the file of the first respondent in pending File No.133/2018.

For Petitioner : Mr.V.Malaiyendran
for Mr.N.Anandakumar

For R - 1 : Mr.V.Anand,
Government Advocate.

ORDER

Mr.V.Malaiyendran, learned counsel on record for writ petitioner and Mr.V.Anand, learned Government Advocate, who accepts notice on behalf of first respondent (official respondent) are before this Court.

2.After some arguments, learned counsel for writ petitioner seeks leave / permission of this Court to withdraw this Writ Petition, but makes a plea that rights of writ petitioner may please be preserved for preferring a statutory appeal before the jurisdictional Registrar under Section 72 of the Registration Act, 1908 read with Rule 166 of the Registration Rules thereunder (hereinafter referred to as 'said Act and said Rules' for brevity) against the impugned order. To be noted, impugned order is order dated 05.04.2019 made by the first respondent.



3.Writ petitioner counsel has made an endorsement in the case file in this regard.

4.Permitted to withdraw.

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5.Instant Writ Petition is dismissed as withdrawn albeit preserving rights of writ petitioner to file a statutory appeal under provisions of said Act and said Rules in the aforesaid manner. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

ps
To

The Sub-Registrar,
Office of the Sub-Registrar,
Thiruverumbur,
Tiruchirappalli.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-90416[F] dated 30/09/2019)

+1 CC to M/s.SPL GP (SR-90863[F] dated 01/10/2019)

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JM/16.10.2019/2P/4C