

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2020

CORAM

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

W.P. No. 434 of 2020

Anbu

... Petitioner

Vs.

1. The Inspector General of Registration
Santhome High Road
Chennai - 600 004.
2. The Sub Registrar
K.V. Kuppam Sub Registrar Office
Katpadi Taluk, Vellore District.
3. Sambasivam
4. Punitha ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents to consider the representation of the Petitioner dated 20.11.2019 to cancel the entry of the Sale Deed dated 21.07.2010 executed by the Petitioner's father in law vide Doc. No. 2451 of 2010 on the file of the Second Respondent.

For Petitioner : Mr. P.Chandrasekar

For Respondents: Mr. T.M.Pappiah
Special Government Pleader (Registration)
For R1 & R2

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 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 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

may

To

1. The Inspector General of Registration
Santhome High Road
Chennai - 600 004.
2. The Sub Registrar
K.V. Kuppam Sub Registrar Office
Katpadi Taluk, Vellore District.

+lcc to Mr.P.Chandrasekaran, Advocate, S.R.No.2684

+lcc to the Government Pleader, S.R.No. 3211

W.P. No. 434 of 2020

MR (CO)
GN (24/01/2020)

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