

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2020

CORAM

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

W.P. No. 1840 of 2020
and
W.M.P. No. 2142 of 2020

K.Dharmaraj

... Petitioner

Vs.

1. The Inspector of Registration
100, Santhome High Road
Santhome, Chennai - 600 028.

2. The District Registrar
(Administration)
Coimbatore.

3. The Sub Registrar
Anaimalai.

4. Mohan Kumar

5. Kuppusamy

6. Dievanagayam

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents 1 and 2 to consider the Petitioner's Representation dated nil on merits within the time limit fixed by this Court.

For Petitioner : Mr. A.Sriram

For Respondents : Mr. M.Tamizharasan
Special Government Pleader (For R1 to R3)

ORDER

When it is pointed out by Mr. M.Tamizharasan, 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 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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.

29.01.2020

Index : Yes/No

Internet : Yes /No

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Note: Issue order copy by 06.02.2020.

To

1. The Inspector of Registration
100, Santhome High Road
Santhome, Chennai - 600 028.
2. The District Registrar
(Administration)
Coimbatore.
3. The Sub Registrar
Anaimalai.



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P.D. AUDIKESAVALU, J.

may



W.P. No. 1840 of 2020

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Dated : 31.01.2020