

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 2561 of 2020

Lakshmi Sethuraman

... Petitioner

Vs.

1. The Inspector General of Registration
Office of Inspector General of Registration
R.A.Puram, Chennai - 600 028.
2. The Sub Registrar
Sub-Registrar Office
Saidapet
Chennai - 600 015.
3. The Commissioner of Police
Central Crime Branch
Vepery, Chennai - 600 007.
4. Deputy Commissioner of Police
Central Crime Branch
Vepery, Chennai - 600 007.
5. K.B.Babiammal
6. G.Chandran
7. S.Nalini
8. R.Vasanthi
9. G.Ramkumar
10. S.Nirmala
11. R.Jayasree
12. M.Sambasiva Rao

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Inspector General of Registration, R.A.Puram, Chennai - 600 028 and Sub Registrar of Saidapet, Sub Registrar office, Saidapet to cancel the fraudulent document created by Mr.Sambasuva Rao and others vide document No.2271/1994 dated 07.07.1994, as directed by the Deputy Commissioner of Police, Central Crime Branch, Vepery, Chennai - 600 007 vide his order dated 30.07.2014 against CR No.186/2014 as per Section 68(2) of Registration Act, 1908.

For Petitioner	:	Mr. A.Saravanan
For Respondents	:	Mr. M.Tamizharasan (for R1 and R2) Additional Government Pleader

Mr. A.B.Reehana Begam (for R3 & R4)
Government Advocate

O R D E R

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

//True Copy//

Sub Assistant Registrar

may
To

1. The Inspector General of Registration
Office of Inspector General of Registration
R.A.Puram, Chennai - 600 028.
2. The Sub Registrar
Sub-Registrar Office
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3. The Commissioner of Police
Central Crime Branch
Vepery, Chennai - 600 007.

4. Deputy Commissioner of Police
Central Crime Branch
Vepery, Chennai - 600 007.

+1 cc to Government Pleader Sr.No. 9039

W.P. No. 2561 of 2020

A.SK(17/02/2020)



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