

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2020

CORAM

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

W.P. No. 2880 of 2020

N.Vijaya

... Petitioner

-vs-

1. The Commissioner of Land Administration,
Chepauk,
Chennai.
2. The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600 028.
3. The District Registrar,
O/o. The District Registrar,
No.58/1, Cutchery Road,
Virudhunagar - 626 001.
4. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
5. The Tahsildar,
Sattur Taluk,
Sattur, Virudhunagar District.
6. The Sub Registrar,
Sub Registrar Office,
Sattur, Virudhunagar District.

7. Chinna Muthu alias Muthu

8. Durgeshwaran

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Second and Third Respondents to take appropriate, speedy and necessary action to cancel the bogus Sale Deed in Doc. No.4711 of 2015 with respect to the petitioner property in S.No.269/5A3, Padanthal Village, Sattur Taluk, Virudhunagar District based on the petitioner's complaint dated 18.12.2015 and to direct the 1st and 5th respondents to cancellation of patta afterwards and directing the respondents 1 to 6, and lodge a complaint against respondents 7 and 8 as per law within a stipulated time.

For Petitioner : Mr. N.Naganathan

For Respondents : Mr. G.K.Muthukumar,
Special Government Pleader
(For R1, R4 and R5)

Mr. T.M. Pappiah,
Special Government Pleader
(for R2, R3 and R6)

O R D E R

It is pointed out by the Learned Special Government Pleader appearing for the Second, Third and Sixth Respondents, that it has been ruled by the Hon'ble Supreme Court of India in Satya Pal Anand -vs- State of Madhya Pradesh [(2016) 10 SCC 767] that once a document has been registered, the Registering Authority cannot cancel the registration even if his attention is invited to some irregularity committed during the registration of the document, and that the remedy for the aggrieved party is only to challenge the registration and validity of the document in a suit invoking Section 31 of the Specific Relief Act, 1963, before the jurisdictional Civil Court. In view of the same, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to the Petitioner to resort to that procedure, 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

bkn/sj

To

1. The Commissioner of Land Administration,
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Sattur, Virudhunagar District.
6. The Sub Registrar,
Sub Registrar Office,
Sattur, Virudhunagar District.

+1cc to Government Pleader, S.R.No.9506
+1cc to M/s.N.Naganathan, Advocate, S.R.No.8999

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KKV/10/06/2020

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