

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

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

W.P. No. 3526 of 2020

K.K.Dasarathan

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
No.53, Orikkai Madura Udhayamangulam,
Near Anna Kudiyruppu,
Kanchipuram - 631 502.

2.V.Govindaraj

3.G.Sundaram

4.G.Vaitheeswari

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondent to consider the Petitioner representation dated 16.12.2019 within a stipulated time.

For Petitioner : Mr. R.Anandha Babu

For Respondent-1: Mr. T.M.Pappiah
Special Government Pleader

O R D E R

When it is pointed out by Mr. T.M.Pappiah, Learned Special Government Pleader appearing for the First Respondent, 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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-III)

//True copy//

Sub Assistant Registrar

bkn

To

1.The District Registrar,
District Registrar Office,
No.53, Orikkai Madura Udhayamangulam,
Near Anna Kudiyruppu,
Kanchipuram - 631 502.

+1cc to Mr.R.Anandha Babu, Advocate SR.No.12813

+1cc to Government Pleader SR.No.14202

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GMV (08/05/2020)

सत्यमेव जयते
WEB COPY