

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2020

CORAM

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

W.P.NO.3044 OF 2020

A.Mahalingam

... Petitioner

Vs.

1. The District Registrar
Near Mariyamman Temple
Sivathapuram
Chengikottai
Salem - 636 307.
2. The Sub-Registrar
Mettur, Salem District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the First Respondent to dispose the appeal filed by the Petitioner dated 30.01.2020.

For Petitioner : Mr.M.P.Rajavelayutham

For Respondents : Mr.M.Tamizharasan
Additional Government Pleader
(For R1 & R2)

सत्यमेव जयते
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. 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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(CCC)

//True Copy//

Sub Assistant Registrar

may a

To

1. The District Registrar
Near Mariyamman Temple
Sivathapuram
Chengikottai
Salem - 636 307.
2. The Sub-Registrar
Mettur, Salem District.

+lcc to Mr.M.P.Rajavelayutham, Advocate, S.R.No.10269
+lcc to the Government Pleader, S.R.No.11362

W.P.No.3044 of 2020

MG (CO)
CS/20/02/2020

सत्यमेव जयते

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