

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.02.2020
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 3205 of 2020

D.Saravanan

... Petitioner

Vs.

1. Inspector General of Registrar
Inspector General Office
No.100, Santhome Road
Chennai - 600 028.

2. The District Registrar
District Registrar Office
Kallakurichi District.

3. The Sub-Registrar
Sub Registrar Office
Vadaponparabee
Sangarapuram Taluk
Kallakurichi District.

4. Duraisamy

5. D.Rajavel

.... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents to take appropriate action upon the Petitioner's representation dated 23.12.2019.

For Petitioner : Mr. M.Mariappan

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

O R D E R

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-
Asst.Registrar (CS-IX)

/true copy/

Sub Asst. Registrar

maya

To

1. Inspector General of Registrar
Inspector General Office
No.100, Santhome Road
Chennai - 600 028.
 2. The District Registrar
District Registrar Office
Kallakurichi District.
 3. The Sub-Registrar
Sub Registrar Office
Vadaponparabee
Sangarapuram Taluk
Kallakurichi District.
- +1 cc to Mr.M.Mariappan Advocate sr11759
+1 cc to Government pleader sr11379

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