

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.01.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 16216 of 2018

A. Srinivasa Babu

... Petitioner

Vs.

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 005.
2. The Deputy Inspector General of Registration
O/o. The Deputy Inspector General of Registration
Door No. 50, Sankara Naidu Street,
Thiruppathiripuliyur,
Cuddalore - 607 002.
3. The Director,
Directorate of Vigilance and Anti Corruption
NCB.21 to 28 P.S.Kumarasamy Raja Salai,
Raja Annamalaipuram,
Chennai - 600 028.
4. M. Srinivasan ... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the First Respondent to consider and pass orders in petitioner's complaint dated 30.12.2015 preferred to the Third Respondent, on the basis of the enquiry report submitted by the Second Respondent to the First Respondent dated 28.03.2016 within a time frame.

For Petitioner : Mr. R.Gopinath

For Respondents: Mr. T.M. Pappiah
Special Government Pleader (For R1 to R2)
Mr. R.Venkatesh
Government Advocate (For R3)

O R D E R

When it is pointed out by Mr.T.M. Pappiah, Learned Special Government Pleader, who takes notice for the First Respondent

and Second 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. 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 005.
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O/o. The Deputy Inspector General of Registration
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Chennai - 600 028.

+1cc to Mr.R.Gopinath , Advocate SR.No. 3099
+1 cc to Government Pleader Sr.No. 3480

W.P. No. 16216 of 2018

A.SK(06/02/2020)