

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.3.2020

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.5991 OF 2014 & MP.NO.1 OF 2014

1.T.Tamilselvi
2.T.Shanthi
3.T.Sangeetha
4.T.Radha
5.T.Nadhiya
6.T.Rathna

...Petitioners

Vs

1. The Sub-Registrar, Bargur Sub-
Registration Office, Bargur,
Krishnagiri District.
2. The District Registrar, District
Registrar's Office, Krishnagiri.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records leading to the impugned order passed by the second respondent in Appeal No.1 of 2013 dated 11.10.2013 confirming the order the first respondent, quash the same and consequently direct the respondents to register the settlement deed dated 31.7.2012 registered as pending document No.45 of 2012 in the office of the first respondent and return the same to the writ petitioners within a time frame to be fixed by this Court.

For Petitioners : Mr.C.Jagadish
For Respondents : Mr.P.P.Purushothaman, GA

ORDER

This is a writ petition filed by the petitioners challenging an order passed by the second respondent in Appeal No.1 of 2013 dated 11.10.2013 and for a direction to the respondents to register the settlement deed dated 31.7.2012, which is kept pending doc.45 of 2012 on the file of the first respondent.

2. The petitioners had filed a memo dated 20.12.2019 to the Registry signed by the learned counsel for the petitioners also wherein they submitted that in view of Section 77 of the Registration Act, 1908, the petitioners may be permitted to withdraw the above writ petition with liberty to file a civil suit, if found necessary.

3. The impugned order came to be passed pursuant to the judgment rendered in a civil proceeding and that the petitioners were not in a position to produce the revenue records to support their stand that they are entitled to deal with the property in question.

4. In the light of the above, the memo filed by the petitioners signed by the learned counsel for the petitioners dated 20.12.2019 is placed on record and the above writ petition is dismissed as withdrawn leaving it open to the petitioners to approach the civil court if need arises. No costs. Consequently, the connected MP is also dismissed.

Sd/-

Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

RS

To

1. The Sub-Registrar, Bargur Sub-Registration Office, Bargur, Krishnagiri District.
2. The District Registrar, District Registrar's Office, Krishnagiri.

+1CC to Mr.C.Jagadish, Advocate, S.R.No.23896

+1cc to Government Pleader, S.R.No.24323

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W.P.No.5991 of 2014
and MP.No.1 of 2014

PP(CO)
KKV/17/06/2020