

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2020

CORAM

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

W.P. No. 29501 of 2019
and
W.M.P. No. 29367 of 2019

M. Anantharama

... Petitioner

-vs-

1. The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 004.

2. The District Registrar,
South Chennai,
No. 9, Jeenais Road,
Saidapet,
Chennai - 600 015.

3. The Sub Registrar,
T. Nagar,
Chennai - 600 017.

4. S.P.N. Sathyamoorthy

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 18.07.2018 in Application No. 1 of 2017 attached to the alleged Sale Deed dated 20.10.2016 in Proceedings No. 19500/Aa1/2017 dated 04.04.2018 issued by the Second Respondent and quash the same and consequently direct the Third Respondent to duly cancel the registration of the Sale Deed Document No. 1971 of 2018 registered on 13.08.2018 alleged to have been executed by the Petitioner in favour of the Fourth Respondent.

For Petitioner : Mr. K.V. Babu

For Respondents: Mr. T.M. Pappiah,
Special Government Pleader
(for R1 to R3)

Mr. R. Balachandran (for R4)

O R D E R

When it is pointed out by the Learned Special Government Pleader appearing for the First to Third Respondents that the Petitioner cannot challenge the registration of a document 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 the parties to settle the matter by mutual negotiation or 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected the Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

vjt

To

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 004.

2. The District Registrar,
South Chennai,
No. 9, Jeenais Road,
Saidapet,
Chennai - 600 015.

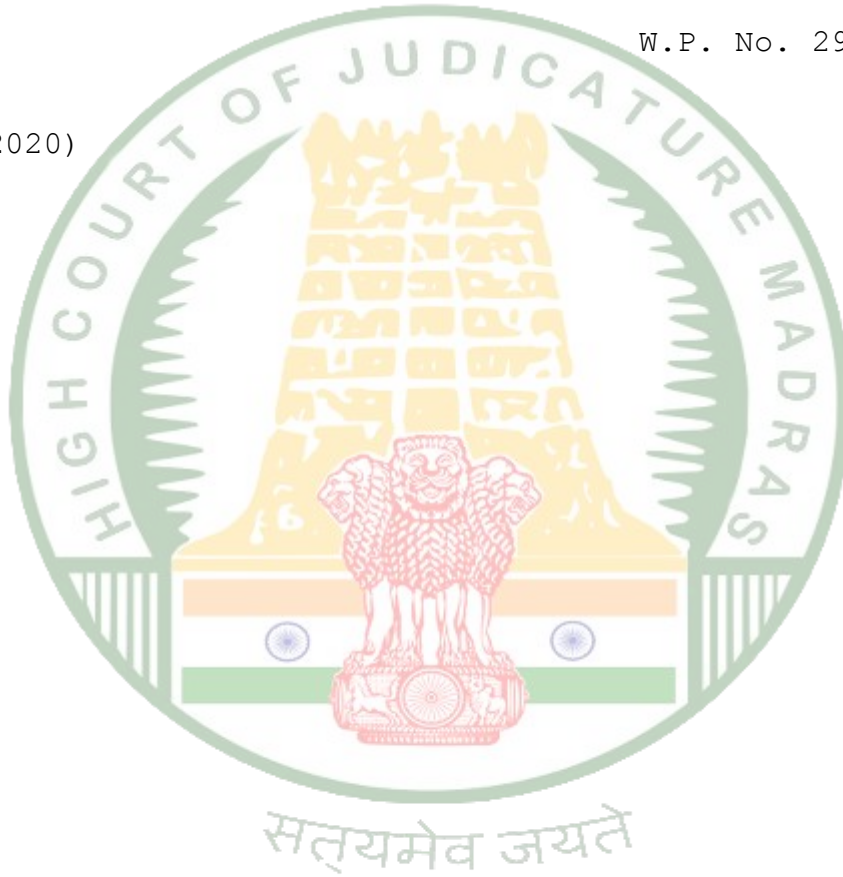
3. The Sub Registrar,
T. Nagar,
Chennai - 600 017.

+1cc to Mr.Babu, Advocate SR.12018
+1cc to the Government Pleader SR.13050

W.P. No. 29501 of 2019

(CO)

CB(24/02/2020)



WEB COPY