



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2020

CORAM

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

W.P. Nos. 35937, 35940 & 35942 of 2019

and

W.M.P. Nos. 36852, 36856 & 36859 of 2019

W.P. No. 35937 of 2019

Nandini Devi

... Petitioner

Vs.

1. District Registrar
Coimbatore.

2. Sub Registrar
Kinathukadavu
Coimbatore District.

3. A.N.Saraswathi

4. A.Umadevi

5. G.Muthuselvi

6. G.Kabileshwar

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents 1 & 2 to cancel the settlement deed dated 16.12.2016 executed by the 3rd Respondent in favour of Respondents No.6 registered as Document No. 7560 of 2016 on the file of the Second Respondent herein as the same is invalid document, within time fixed by this Court.

For Petitioner : Mr. V.Rameshvel

For Respondents: Mr. T.M.Pappiah (For R1 & R2)
Special Government Pleader

W.P. No. 35940 of 2019

Nandini Devi

... Petitioner

Vs.

1. District Registrar
Coimbatore.

2. Sub Registrar
Kinathukadavu
Coimbatore District.



3. A.N.Saraswathi
4. A.Umadevi
5. G.Muthuselvi
6. G.Kabileshwar
7. A.N.Raghavapriya

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents 1 & 2 to cancel the settlement deed dated 16.12.2016 executed by the 3rd Respondent in favour of Respondents No.7 registered as Document No. 7561 of 2016 on the file of the Second Respondent herein as the same is invalid document, within time fixed by this Court.

For Petitioner : Mr. V.Rameshvel

For Respondents: Mr. T.M.Pappiah (For R1 & R2)
Special Government Pleader

W.P. No. 35942 of 2019
Nandini Devi

... Petitioner

Vs.

1. District Registrar
Coimbatore.
2. Sub Registrar
Kinathukadavu
Coimbatore District.
3. A.N.Saraswathi
4. A.Umadevi
5. G.Muthuselvi
6. G.Kabileshwar
7. R.Muthukrishnan

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents 1 & 2 to cancel the sale deed dated 16.12.2016 executed by the 3rd to 6th Respondents in favour of Respondents No.7 registered as Document No. 7559 of 2016 on the file of the Second Respondent herein as the same is invalid document, within time fixed by this Court.

For Petitioner : Mr. V.Rameshvel

For Respondents: Mr. T.M.Pappiah (For R1 & R2)
Special Government Pleader



C O M M O N 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 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.Rukumani -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 Petitions with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petitions are dismissed as withdrawn granting such liberty. Consequently, connected miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The District Registrar
Coimbatore.

2. The Sub Registrar
Kinathukadavu
Coimbatore District.

+3cc to Mr. V.Rameshvel, Advocate sr.860 to 862
+1cc to Government Pleader SR.NO. 1356

W.P. Nos. 35937, 35940 & 35942 of 2019

mp(co)
nr 23/01/2020

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