



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2020

CORAM:

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

W.P. No.35620 of 2019

B. G. Padmanabhan

... Petitioner

Vs.

1. The Inspector General of Registration
Santhome High Road,
Santhome, Chennai-600 028.

2. The District Registrar
Registration Department
South Chennai,
Chennai.

3. The Sub-Registrar,
Office of Sub-Registrar,
Avadi, Chennai.

4. A.Kathiravan

5. Rani

... Respondents

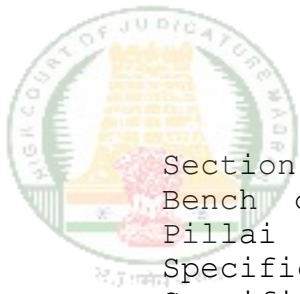
Prayer:- Writ petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus directing the First to Third Respondents to consider the representation dated 03.10.2019 and take necessary action within a stipulated time.

For Petitioner : Mr.P.Sivamani

For Respondents: Mr. T. M. Pappiah,
Special Government Pleader
(For R1 to 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 to Third Respondents states 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

To

1. The Inspector General of Registration
Santhome High Road,
Santhome, Chennai-600 028.
2. The District Registrar
Registration Department
South Chennai,
Chennai.
3. The Sub-Registrar,
Office of Sub-Registrar,
Avadi, Chennai.

+1 CC to The Govt. Pleader sr 968

W.P. No.35620 of 2019

VGI(CO)
SP(09/01/2020)