



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM:

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

W.P.NO.35759 OF 2019

T.Sankar

... Petitioner

Vs.

1. The District Registrar,
Government of Puducherry,
Puducherry.

2. The Sub Registrar,
O/o. The District Registrar,
Government of Puducherry,
Puducherry.

3. S.Naresh Kumar

... Respondents

Prayer:-

Writ petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the Respondent to consider and dispose of the representation dated 03.10.2019 made by the petitioner with regard to his property rights in accordance with law and after affording an opportunity of hearing.

For Petitioner : Mr.P.Srinivasan

For Respondents: Mr.D.Ravichander
Additional Government Pleader (Pondy)
(For R1 & R2)

O R D E R

When it is pointed out by Mr.D.Ravichander, Learned Additional Government Pleader Pondicherry, who takes notice for the First 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 VI)

//True Copy//

Sub Assistant Registrar

ssi

To

1. The District Registrar,
Government of Puducherry,
Puducherry.
2. The Sub Registrar,
O/o. The District Registrar,
Government of Puducherry,
Puducherry.

+1cc to Mr.P.Srinivasan, Advocate, S.R.No.252
+1cc to the Government Pleader, S.R.No.186

W.P.No.35759 of 2019

SV(CO)
CS/09/01/2020