

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2020

CORAM

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

W.P. No. 31476 of 2018

and

W.M.P. Nos. 36680 and 36684 of 2018

Mr. Bose,
President – Burma Indians Co-operative House Construction
Society (RE No.XNC 689), No. 32/20, Venkatraman Street,
Perambur,
Chennai – 600 011.

... Petitioner

-VS-

1. S. Jayendran
2. The Sub-Registrar (SRO),
Neelangarai Sub-Registrar Office,
Kazura Garden 2nd Street,
Neelangarai,
Chennai – 600 041.
3. The District Registrar (Administration),
Registration Department – South Chennai,
Saidapet,
Chennai – 600 015.
4. The Inspector General of Registration (IG-Registration),
No. 100, Santhome High Road,
Mylapore,
Chennai – 600 028.

5. The Registrar,
Co-operative Societies (Housing),
No. 48, Ritherdon Road,
Vepery,
Chennai – 600 007.
6. The Arbitrator / Deputy Registrar of Co-operative Societies (Housing),
Chennai Region,
No. 18, Ramanathan Street,
T. Nagar,
Chennai – 600 017.
7. Baskaran,
Secretary of Adyar Co-operative Housing Society (XNC-504),
Office at Deputy Registrar of Co-operative Societies (Housing),
Chennai Region,
No. 18, Ramanathan Street,
T. Nagar,
Chennai – 600 017.
and also at No. 166/130, Malligai poo Nagar,
Adyar,
Chennai – 600 020.
8. Sumathi
9. R. Ravikumar
10. Senthilkumar
11. Alex @ Alezander Paulraj @ J. Antoney Alexander Pushparaj ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Fourth Respondent to consider the representation dated 24.10.2018 to cancel the alleged sale deed Document No. 5089/2018, dated 24.07.2018.

For Petitioner : Mr. B. Viveka Vanan

For Respondents : Mrs. S.R. Sumathy(For R1)

Mr. T.M. Pappiah,
Special Government Pleader
(For R4 to R5)

Mr. S. Senthil (For R8)

Mr. S. Iyappa (For R9)

Mr. A. Raghuraman (For R11)

ORDER
(through video conference)

When it was pointed out during the earlier hearings that having regard to the nature of relief sought, the Petitioner has got an effective alternative remedy provided under Section 31 of the Specific Relief Act, 1963, to institute civil suit before the jurisdictional Civil Court, Learned Counsel for the Petitioner requested that the matter may be adjourned so that necessary action would be taken in that regard.

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2. It is reported by the Learned Counsel for the Petitioner today that the Petitioner has presented civil suit in O.S. S.R. 2918 and 2919 of 2020 before the

District Munsif Court, Alandur for necessary relief and seeks permission of this Court to withdraw the Writ Petition reserving the right of the Petitioner to work out his rights in the said suits.

3. Accepting the aforesaid submissions made, the Writ Petition is dismissed as withdrawn clarifying that it would not preclude the Petitioner from working out his rights before the proper forum in the manner recognized by law. Consequently, the connected Miscellaneous Petitions are closed. No costs.

14.10.2020
(2/3)

dm

Index : Yes/No

Note: Issue order copy by 04.12.2020.

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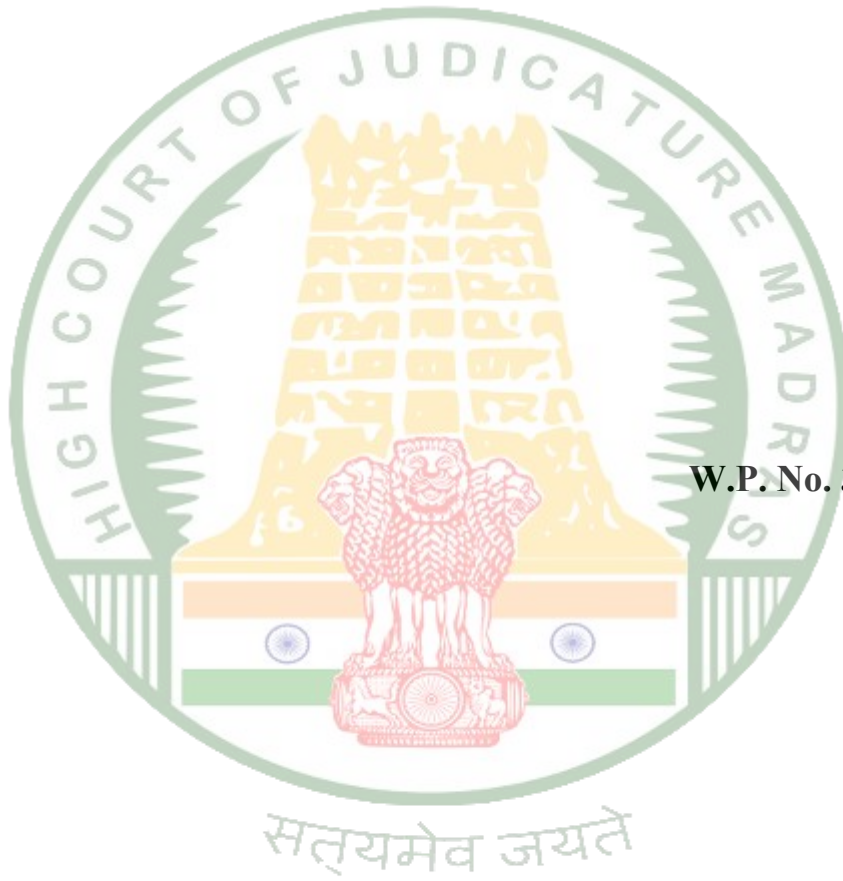
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P.D. AUDIKESAVALU, J.

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