



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2020

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

WEB COPY

W.P. (MD) No.1375 of 2020**and****W.M.P. (MD) No.1112 of 2020**

P.Kennedy Raja

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road, Chennai-600 028.

2.The District Registrar,
Tirunelveli Registration District,
Registration Department, Tirunelveli.

3.The Sub Registrar,
Sub Registration Office,
Radhapuram-627 111,
Tirunelveli District.

4.The Secretary,
Koodankulam Atomic Power Plant Local Committee /
Block Development Officer,
Block Development Office,
Radhapuram, Tirunelveli District.

5.P.S.P.Rethinasamy

6.Golda Devairakkam

7.P.Sivankumar

8.P.S.Shanmuga Sundaram

... Respondents

(Sixth to Eighth Respondents are impleaded by order dated 05.03.2020
made in W.M.P. (MD) No.2724 of 2020)

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the Second Respondent to consider the Petitioner's representation dated 28.11.2019 and further to complete the enquiry within stipulated time fixed by this Court.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents 1 to 4 : Mr.Aayiram K.Selvakumar

Additional Government Pleader

ORDER

It is pointed out by Mr. Aayiram K.Selvakumar, Learned Additional Government Pleader, who takes notice for the First to Fourth Respondents, that it has been ruled by the Hon'ble Supreme Court of India in **Satya Pal Anand -vs- State of Madhya Pradesh**



[(2016) 10 SCC 767] that once a document has been registered, the Registering Authority cannot cancel the registration even if his attention is invited to some irregularity committed during the registration of the document, and that the remedy for the aggrieved party is only to challenge the registration and validity of the document in a suit invoking Section 31 of the Specific Relief Act, 1963, before the jurisdictional Civil Court. In view of the same, Learned Counsel for the Petitioners seeks permission of this Court to withdraw the Writ Petition with liberty to the Petitioners to resort to that procedure, and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is needless to clarify here that no view has been expressed by this Court on the correctness or entitlement of the claim made by the Petitioner in that regard. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.

2.The District Registrar,
Tirunelveli Registration District,
Registration Department, Tirunelveli.

3.The Sub Registrar,
Sub Registration Office,
Radhapuram-627 111,
Tirunelveli District.

4.The Secretary,
Koodankulam Atomic Power Plant Local Committee /
Block Development Officer,
Block Development Office,
Radhapuram, Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-10338[F] dated 06/03/2020)

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-10515[F] dated 06/03/2020)

W.P. (MD) No.1375 of 2020

05.03.2020