



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2020

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.5220 of 2020

M.Maheswari

... Petitioner

Vs.

1.The District Registrar,
O/o the District Registrar,
Trichy District, Trichy.

2.The Sub Registrar,
O/o the District Registrar,
Trichy District, Trichy.

3.R.Manoharan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the First Respondent to cancel the document No.5934 of 2014 dated 25.09.2014 based on the Petitioner's representation dated 13.01.2020 within the period stipulated by this Court.

For Petitioner : Mr.H.Velavadhias

For Respondents 1 & 2 : Mr.V.Anand
Government Advocate

ORDER

It is pointed out by Mr. V.Anand, Learned Government Advocate, who takes notice for the First and Second 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 Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to the Petitioner 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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. No costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The District Registrar,
O/o the District Registrar,
Trichy District, Trichy.

2.The Sub Registrar,
O/o the District Registrar,
Trichy District, Trichy.

+1 CC to M/s.SPL.GP (SR-12026[F] dated 17/03/2020)

W.P. (MD) No.5220 of 2020
13.03.2020

SRK(CO)
TR(19.03.2020)2P 4C