



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2020

CORAM

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

W.P. (MD)No.5639 of 2020

Senthil

... Petitioner

Vs.

1.The District Collector,
Sivagangai.

2.The Joint Sub Registrar No.2,
Office of the Sub Registrar,
Sivagangai.

... Respondents

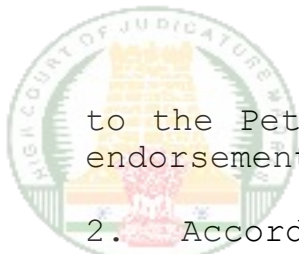
Prayer:- Writ petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, to direct the Second Respondent herein to take immediate action to cancel the document No.1828/1975 dated 27.10.1975 based on the Petitioner's representation dated 26.02.2020 within a time stipulated by this Court.

For Petitioners : Mr.K.Malathi

For Respondents : Mr.S.Angappan
Government Advocate.

O R D E R

It is pointed out by Mr. S.Angappan, Learned Government Advocate, who takes notice for the 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The District Collector,
Sivagangai.

2.The Joint Sub Registrar No.2,
Office of the Sub Registrar,
Sivagangai.

+1 CC to M/s.K.MALATHI, Advocate (SR-12235[F] dated 18/03/2020)

+1 CC to M/s.Special Govt.Pleader (SR-12436[F] dated 19/03/2020)

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