



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2020

CORAM:

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

W.P. (MD) No. 7590 of 2019

Kalimuthu

... Petitioner

-vs-

1. The District Registrar,
Sivagangai District,
Sivagangai.

2. The Sub-Registrar,
Sivagangai,
Sivagangai District.

3.Thangaraj

4.Muniyandi

5.Sridhar

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Second Respondent to implement the order of the First Respondent made in Naa.Kaa.No.259/E1/2017, dated 23.05.2017 by making necessary entries of cancellation of sale deeds in Documents No.473/1995 and 1822/1996.

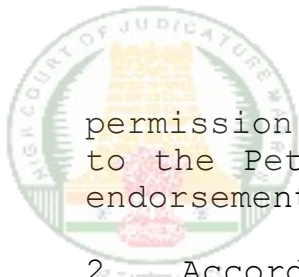
For Petitioner : Mr.V.Angusamy

For R1 and R2 : Mr. M.Murugan,
Government Advocate.

For R3 : No Appearance

O R D E R

It is pointed out by Mr.M.Murugan, 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Das

To

1.The District Registrar,
Sivagangai District,
Sivagangai.

2.The Sub-Registrar,
Sivagangai,
Sivagangai District.

+1 CC to Mr.V.ANGUSAMY, Advocate (SR-11534[F] dated 13/03/2020)

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