



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2020
C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.5568 of 2015

R.Nallamani

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai.2.The District Registrar,
The District Registrar Office,
Palace Road, Madurai.3.The Sub-Registrar,
Joint No.4, Registration Office,
Opp.Nataraj theatre, Madurai.

4.Muthupillai

5.P.Gopichandran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the Second Respondent to conduct enquiry regarding the registration by the Third Respondent in Doc.No.11863/2008 dated 25.11.2008 regarding the property S.No.165/32A, Palanganatham, Madakkulam Village, Madurai South Taluk, Madurai executed sale deed by the Fourth Respondent to the Fifth Respondent and dispose the petition submitted by the Petitioner on 15.01.2015 as per law by fixing a time frame.

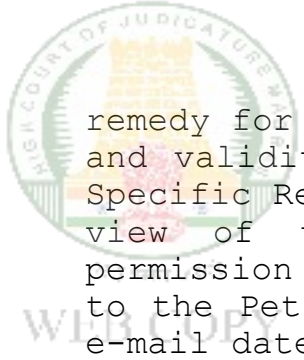
For Petitioner : Mr.R.Ramasamy

For Respondents 1 to 3 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For Respondent 4 : Mr.V.Vijayagurumoorthy

ORDER

Having due regard to the nature of dispute sought to be agitated by the Petitioner in the Writ Petition, it is contended by Mr.J.Gunaseelan Muthiah, Learned Additional Government Pleader, who takes notice for the First to Third 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. He has also sent an e-mail dated 01.06.2020 to the Registrar (Judicial) of this Court to that effect, which is placed on record.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is also made clear that the period from the date of presentation of this Writ Petition (i.e., 10.04.2015) till the date on which certified copy of this order is made ready by the Registry, shall be excluded for computing the period of limitation with regard to the additional relief proposed to be sought. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai.

2.The District Registrar,
The District Registrar Office,
Palace Road, Madurai.

3.The Sub-Registrar,
Joint No.4, Registration Office,
Opp.Nataraj theatre, Madurai.

+1 CC to M/s.SPL GP (SR-13090[F] dated 04/06/2020)

W.P. (MD) No.5568 of 2015
01.06.2020