



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD)No.2780 of 2016

M.M.Sakila

... Petitioner

Vs.

1. The District Registrar,
(Administration),
District Registrar Office,
171, Palace Road,
Madurai South.

2. The Sub Registrar,
Joint IV Sub Registrar Office,
Madurai.

3. S.L.Dhamodharan

4. S.D.Shanthi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the First and Second Respondents to pass appropriate orders on the basis of the petitioner's representation dated 14.10.2014 as per the provision laid down by the Registration Act and consequently to cancel the fraudulent sale deed dated 08.12.2010 registered by the Second Respondent.

For Petitioner : Mr.T.R.Subramanian

For Respondents 1 & 2 : Mr.M.Murugan

Government Advocate

ORDER

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 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 Accordingly, the Writ Petition is dismissed as withdrawn
<https://hcservices.ecourts.gov.in/hcservices/>



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

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Sub Assistant Registrar(CS)

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To

1. The District Registrar,
(Administration),
District Registrar Office,
171, Palace Road,
Madurai South.
2. The Sub Registrar,
Joint IV Sub Registrar Office,
Madurai.
3. +1 CC to MR.T.R.SUBRAMANIAN, Advocate
(SR-10115[F] dated 05/03/2020)
4. +1 CC to SPL.GP
(SR-10343[F] dated 06/03/2020)

W.P. (MD)No.2780 of 2016

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TP (06.05.2020) 2P 5C