



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD)No.9899 of 2021

Pappa @ Madhina Begam

... Petitioner

versus

1. The District Registrar,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakampeeram,
Y.Othakadai,
Madurai District.

2. Nagoor Pitchai

3. S.Mydeen Pitchai

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 1st Respondent to conduct enquiry to annul the sale deed dated 04.01.2018 bearing Document No.44/2018 and take action as against the Respondents 2 and 3 on the basis of Circular No.41530/U1/2017 dated 20.10.2017 and Letter No.41530/U1/2017 dated 31.07.2018 issued by the Inspector General of Registration based on the Petitioner's representation dated 06.06.2020.

For Petitioner : Mr.R.J.Karthick

For Respondent 1 : Mr.P.Thilak Kumar

Counsel on behalf of the
Government of Tamil Nadu

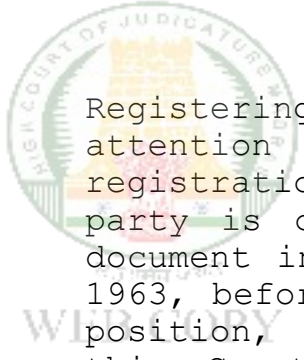
ORDER

(through video conference)

Mr. P. Thilak Kumar, Learned Counsel on behalf of the Government of Tamil Nadu takes notice for the First Respondent.

2.The Writ Petition has been filed for directing the First Respondent to conduct enquiry to annul the sale deed dated 04.01.2018 bearing Document No.44/2018 and take action as against the Second and Third Respondents on the basis of Circular No.41530/U1/2017 dated 20.10.2017 and Letter No.41530/U1/2017 dated 31.07.2018 issued by the Inspector General of Registration based on the Petitioner's representation dated 06.06.2020.

3.Having regard to the aforesaid relief claimed, it has to be noticed here that the Hon'ble Supreme Court of India in the binding decision in **Satya Pal Anand -vs- State of Madhya Pradesh** [(2016) 10 SCC 767] has held 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 that legal position, 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 further informed that a memo through e-mail would be filed to that effect, which shall be placed on record.

In the result, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ogy/SRM

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 District Registrar,
Integrated Complex of Registration Department,
TNAU Nagar, Rajakampeeram,
Y.Othakadai,
Madurai District.

+1 CC to M/s.SPL GP (SR-19170[F] dated 10/06/2021)

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KB(05.07.2021) 2P 3C