



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 4255 OF 2021 (GM-ST/RN)

BETWEEN:

SRI MURALI MANOHAR SARAF
S/O SRI. ONKARMALJI
AGED ABOUT 60 YEARS
RESIDING AT NO.747/42
5TH MAIN, 4TH CROSS
VIJAYANAGAR
BANGALORE - 560 040.

...PETITIONER

(BY SRI. PARAS JAIN.,ADVOCATE)

AND:

THE DISTRICT REGISTRAR
RAJAJINAGAR REGISTRATION DISTRICT
NO.3 LEELA ARCADE, 3RD FLOOR
BDA COMPLEX (BEYOND), 2ND STAGE
3RD BLOCK, NAGARA BHAVI
BANGALORE - 560 072.

...RESPONDENT

(BY SRI.SRINIVAS KUMAR M HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE SUCHANA PATRA DATED 02.01.2021 IS ANNEXED AS ANNEXURE-B.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

Digitally
signed by
SUMA B N
Location:
HIGH
COURT OF
KARNATAKA



CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

Petitioner who is an agent appointed in terms of a general power attorney dated 08.06.2018, which is executed by Lion Polymers LLP, a Limited Liability Partnership incorporated under Limited Liability Partnership Act, 2008, is before this Court being aggrieved by a notice dated 02.01.2021 issued by the respondent-District Registrar.

2. Learned counsel for the petitioner taking this Court through the contents of the said document, more particularly, unnumbered para 2 of page 2 of the said document namely power of attorney submits;

(a) that the said power of attorney has no-way vested any power in favour of the petitioner either to purchase or sell the immovable property for and on behalf of the firm.

(b) that said document also does not empower the petitioner to execute or admit execution of the document in his own name on behalf of the firm.



(c) that the document merely empowers him to present the document that would be executed between the firm and any person.

(d) that mere recital providing for affixing thumb impression or affixing signature on any related document would not amount to authorizing petitioner to execute the deeds of conveyance for and on behalf of the petitioner as wrongly understood by the respondent- authority.

Therefore, he submits the impugned notice issued is one without application of mind, requires to be quashed.

3. Learned HCGP appearing for the respondent-authority on the other hand, submits all that the respondent-authority has done is merely issuing a notice and the petitioner can submit his response/clarification. The same will be considered in accordance with law.

4. Heard. Perused the records.

5. There is considerable force in the submission made by the counsel for the petitioner. Relevant clause of the General



Power of Attorney which is subject matter of the notice reads as under;

"Wherefore, I do hereby nominate, constitute and appoint my father Sri. Murli Manohar Saraf aged about 60 years residing at No.747/42, 5th Main, 4th Cross, Vijaynagar, Bangalore-560 040 to be my true and lawful attorney to do present before the Jurisdictional Sub-registrar, Bengaluru, for registration of Sale Deeds. Agreements or any deeds made between the Partnership firm and others, to present them for registration, to admit his Signature, Thumb impression and the receipt of the Sale Consideration amounts, to sign any connected papers and affidavits and to do any acts or deeds or things as may be necessary to complete the Registration of the said Deeds in the manner required by Law."

6. The notice issued by the respondent-District Registrar indicate he having *prima facie* found objectionable clause warranting consideration under Section 46A of the Karnataka Stamp Act, 1957. Except this, the notice does not say anything. However, a document which was purportedly enclosed with a notice, namely Audit Enquiry No.4 (Revenue) dated 26.12.2019 at paragraph 3 reads as under;

"In this connection it was observed that, though Sri. Piyush Saraf and Sri. Murli Manohar Saraf are son and father in personal capacity, Sri. Piyush saraf has executed a GPA in the capacity of the partner of a LLP firm. Further, vide the GPA the Attorney was also authorized to execute (to sign and put thumb impression) the sale deeds (vide para 2 of page 3) for disposing of the property i.f.o of prospective buyers. In addition to presentation of the document before the SRO, the attorney was also authorized to sign the document, which amounts to execution of document which



in turn tantamount to vesting of sale power upon the attorney."

7. The reasons assigned at Audit Enquiry No.4 does not strictly refers to the contents of clause 2, page 2 of the General Power of Attorney is the submission of the learned counsel for the petitioner.

8. Be that as it is, since no order has been passed and merely a notice has been issued, present petition is ***disposed of*** with the following;

ORDER

(i) Petitioner is at liberty to file objections/response/reply to the said notice raising the contentions as made above.

(ii) Such response shall be filed within 30 days from the date of receipt of the certified copy of this order.

(iii) The respondent-District Registrar shall thereafter pass orders in accordance with law taken into consideration the contention being



urged by the petitioner as noted herein above,
within an outer limit of 60 days from the date of
submission of objection/response/reply of the
petitioner as stated above.

**SD/-
(M.G.S. KAMAL)
JUDGE**