



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 27044 of 2026
AND WMP NO. 29627 OF 2026**

A.Nithiyanandam
S/O.Arumugam
No.547, Paliramadam
Vilambur village Cheyyur Taluk
Chengalpattu -603 304

..Petitioner(s)

Vs

The Sub Registrar
Joint No.2 Sub Registrar office-Chengalpattu
Chengalpattu

..Respondent(s)

Prayer:

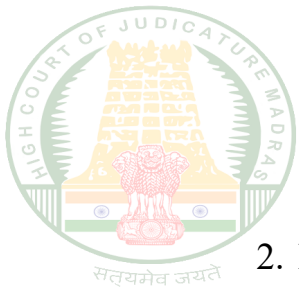
Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the connected records culminated in the impugned order dated 7.5.2026 bearing No.130/2026 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the General Power Attorney dated 12.1.2026

For Petitioner(s): Mr.M.Aravind Subramanian, Sr. counsel,
for Mr.V.Haribabu

For Respondent(s): Mr.Dominic S.David, Govt. counsel

Order

This writ petition has been filed challenging the impugned order dated 07.05.2026 passed by the respondent.



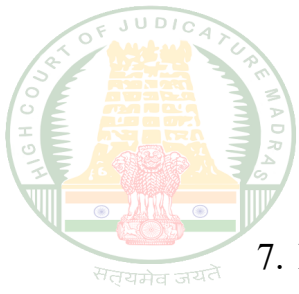
2. Mr.Dominic S.David, learned Government's counsel, takes notice on behalf of the respondent.

3. By consent of the parties, the main petition is taken up for disposal at the stage of admission itself.

4. The learned Senior counsel appearing for the petitioner would submit that in this case, a General Power of Attorney dated 12.01.2026, presented by the petitioner, was rejected by the respondents, vide refusal check slip dated 07.05.2026, by raising 2 objections, viz., it was presented based on the unregistered Will and also by citing alleged discrepancies in the stamp paper.

5. Further, he would submit that the petitioner had clarified the above objections raised by the respondents. However, without considering the same in a proper manner, the respondent had passed the impugned order dated 07.05.2026. Hence, this petition.

6. In reply, the learned Government's counsel appearing for the respondents had confirmed that the document presented by the petitioner was rejected based on aforesaid two objections. Hence, he requests this Court to pass appropriate orders.



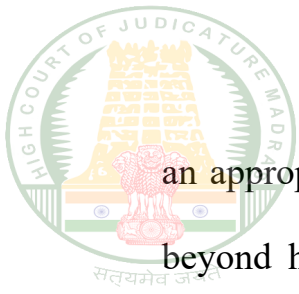
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7. Heard the learned counsel appearing for the petitioner as well as the respondents and also perused the entire materials available on record.

8. In the case on hand, initially, the petitioner's foster mother had executed a Will dated 21.07.2009 in favour of the petitioner and subsequently, she died on 19.02.2010. Since 2010, the petitioner, being the absolute owner of the subject property, is in continuous possession and enjoyment of the said property. Even the revenue records are also mutated in the petitioner's name. Under these circumstances, the petitioner had presented a General Power of Attorney Deed (GPA) dated 12.01.2026 before the respondent for the purpose of registration. However, the respondents had refused to register the said deed by raising two objections.

9. The 1st objection raised by the respondent is with regard to the Will, which was executed in favour of the petitioner. According to the respondents, it is an unregistered Will and the same cannot be accepted.

10. As far as the above objection is concerned, merely by citing the reason that it is an unregistered Will, the respondent cannot refuse to register the GPA executed by the petitioner. Further, the respondent is not competent Authority to decide the genuineness of a Will and it has to be authenticated by



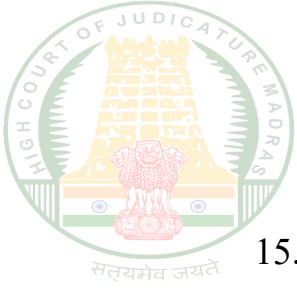
an appropriate Civil Court. Therefore, it is clear that the respondent had acted beyond his jurisdiction and passed the refusal order. Thus, the said order is liable to be set aside.

11. The 2nd objection raised by the respondent is with regard to the discrepancies in the stamp paper used for the Will dated 21.07.2009.

12. Upon perusal, it appears that it is a Rs.100/- stamp paper, which is pertaining to the year 2009. Normally, a Will can be executed even without using any stamp paper. Further, the said Will was executed by petitioner's foster mother, who died as early as on 19.02.2010. In such case, it is clear that the petitioner is no way connected with the said Stamp paper and hence, this Court does not find any substance in the submissions made by the respondent.

13. For all the reasons stated above, this Court is inclined to set aside the impugned order. Accordingly, the impugned order dated 07.05.2026 passed by the respondent is set aside. The petitioner is directed to re-present the General Power of Attorney deed dated 12.01.2026 before the respondents. In such case, the respondent shall consider and register the same in accordance with law.

14. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petition is also closed.



15. Post this matter on 10.08.2026 for reporting compliance.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

NSA

To
The Sub Registrar
Joint No.2 Sub Registrar office-Chengalpattu
Chengalpattu



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WP No. 27044 of 2



KRISHNAN RAMASAMY J.

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