

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.2184 OF 2015
and M.P.NOS.1 AND 2 OF 2015

S.Manickam

.. Petitioner

Versus

1. The Inspector General - Registration,
Santhome High Road,
Chennai - 600 028.
2. The District Registrar,
Salem, Salem District.
3. The Registrar,
Sub Registrar Office,
Dadagapatti,
No.9/60, Trichy Main Road,
RSV Thottam,
Seelanaicken Patti,
Salem District, Salem-636 201.
4. C.R.Senthil Kumar
5. S.Deepalakshmi

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned Cancellation Deed dated 01.09.2014 cancelling the General Power of Attorney dated 15.05.2013 by the third respondent in favour of the 1st and Quash the same, and consequentially directing the third respondent to permit the petitioner to act as power agent as per the registered General Power of Attorney dated 15.05.2013 as Document No.3048 of 2013 on the file of the third respondent.

For Petitioner : Mr.B.Gurumurthy

For Respondents: Mr.V.Jayaprakash Narayanan
Special Govt. Pleader for RR1 to 3

O R D E R

Heard Mr.B.Gurumurthy, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondents 1 to 3.

2. With the consent of both sides, the writ petition is taken up for disposal at the admission stage itself.

3. Since the writ petition is disposed of at the admission stage without notice to the respondent 4 and 5, the merits of the contentions raised by the petitioner are not gone into and it is left open to be decided by the second respondent.

4. The petitioner has challenged the order of Cancellation Deed dated 01.09.2014 cancelling the General Power of Attorney dated 15.05.2013 by the third respondent and consequentially to direct the third respondent to permit the petitioner to act as power agent as per the registered General Power of Attorney dated 15.05.2013 as Document No.3048 of 2013 on the file of the third respondent.

5. The petitioner has sought to invoke the power of the second respondent, as stipulated in Circular No.67 issued by the first respondent and submitted a representation on 31.12.2014 in terms of Circular No.67, wherein, it is stated that wherever fraud has been alleged, the District Registrar is empowered to enquire into the allegations. Since, the petitioner has already made a representation, the second respondent is directed to enquire into the representation dated 31.12.2014, issue notice to the petitioner and the respondents 4 and 5 and give an opportunity of personal hearing to the parties, and thereafter, dispose of the representation on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General - Registration,
Santhome High Road,
Chennai - 600 028.

2. The District Registrar,
Salem, Salem District.

3. The Registrar,
Sub Registrar Office,
Dadagapatti,
No.9/60, Trichy Main Road,
RSV Thottam, Seelanaicken Patti,
Salem District, Salem-636 201.

+ 1 cc to Government pleader Sr.5545

+ 1 cc to M/s.B. Gurumurthy, Advocate SR.5501

W.P.NO.2013 OF 2015

PPA (CO)
Eu 21.02.15



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