

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.36815 of 2015
and M.P.No.1 of 2015

G.Krishnan

... Petitioner

Vs.

1.The Sub-Registrar,
Padappai Sub Registrar Office,
Padappai,
Kanchipuram District.

2.State rep. by
The Inspector of Police,
Peerkankaranai Police Station,
Perungalathur, Chennai.

3.Kalavathy. Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the first respondent to consider petitioner's representation dated 20.10.2015 to register the sale deed in respect of the property being vacant house site bearing Plot No.23, measuring an extent of 3960 Sq. ft., comprised in Survey No.255/1, situated at Aalamelu Mangapuram, Perungalathur Village, Chengelpet Taluk, Kancheepuram District, Padappai Sub-Registration District, South Chennai Registration District, in favour of third party/ies and consequently, forbearing the respondent-2 from interfering with the peaceful possession and enjoyment of the properties by the petitioner herein.

For Petitioner : Mr.D.Suresh

For Respondent : Mr.M.Digvijay Pandian,
Nos.1 & 2 Addl. Govt. Pleader

O R D E R

Apprehending that the document to be presented by the petitioner would not be accepted by the first respondent on the objection of the third respondent, the petitioner has come forward to file this writ petition.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

3. In the counter affidavit filed by the first respondent, the following statement has been made:

"2. I submit that the petitioner has approached this respondent to execute a sale deed to a prospective purchaser on the strength of a General Power of Attorney bearing registration No. 3883/2015. The petitioner was duly informed that if any sale deed is executed based on the said power of attorney, the same will be proceeded in accordance with law. This respondent never directed the petitioner to produce any Court order to register the sale deed to be executed by the petitioner. The petitioner still presented a written representation to register the sale deed to be executed by him in favour of any prospective purchaser. The petitioner was again informed that the petitioner can execute and present sale deed which will be proceeded in accordance with law. The petitioner has not at all presented any sale deed for registration before this respondent.

3. With regard to para 3 of the affidavit, I submit that a deed of General Power of Attorney dated 25.05.2015 executed by one G. Krishnan in favour of K. Chandrakumar was presented for registration before the respondent on 25.05.2015. As the General Power of Attorney was found to be in order in all respects, the same was registered as No. 3883 of 2015 and released to the petitioner."

4. In view of the said stand taken by the first respondent in the counter affidavit, the petitioner is at liberty to present the document for registration. On his presentation, the document shall be proceeded with as per law.

5.The Writ Petition stands disposed of accordingly.
Consequently, connected Miscellaneous Petition is also closed.
No costs.

Sd/-
Assistant Registrar(CCC)

True Copy

Sub Assistant Registrar

To

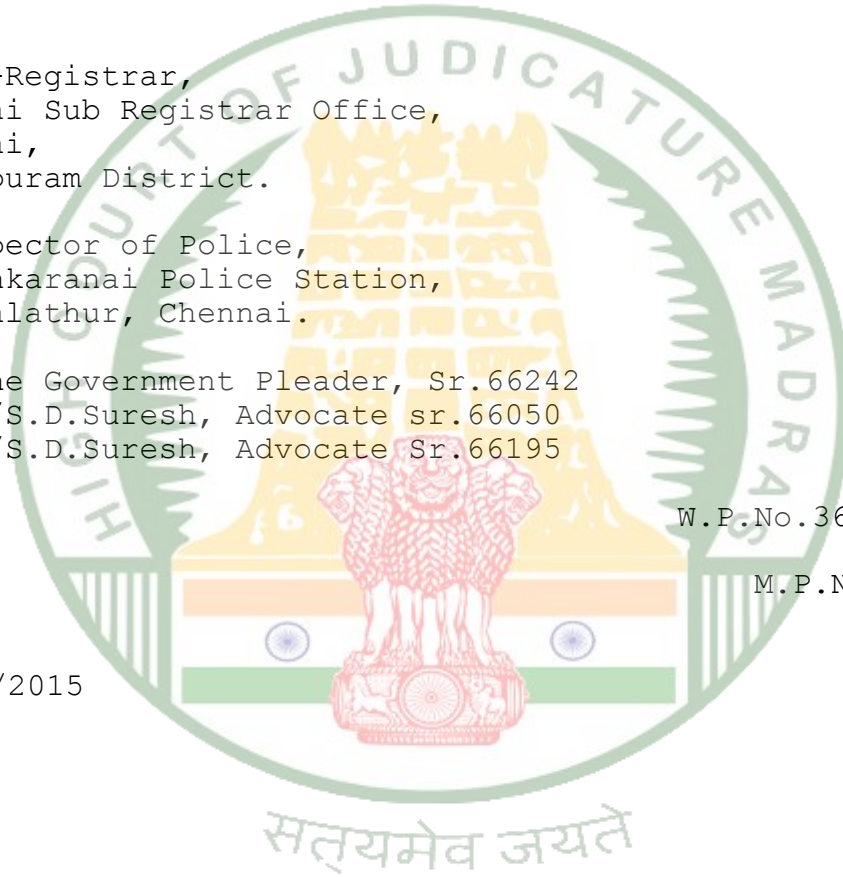
1.The Sub-Registrar,
Padappai Sub Registrar Office,
Padappai,
Kanchipuram District.

2.The Inspector of Police,
Peerkankaranai Police Station,
Perungalathur, Chennai.

+1cc to The Government Pleader, Sr.66242
+1cc to M/S.D.Suresh, Advocate sr.66050
+2cc to M/S.D.Suresh, Advocate Sr.66195

W.P.No.36815 of 2015
and
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srg 11/12/2015



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