



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.24978 of 2016

Lingam

S/O. Vaithilinga Chetty Sundaram,
residing at Block No.131, River Vale Street,
No.14 - 864, Singapore - 540 131,
represented by Power Agent,
Narayanasamy,
S/O.Pitchai Thevar,
Santhupatti, Pulivayal Post,
Iluppur Taluk,
Pudukottai District.

... Petitioner

Vs.

1.The Sub-Registrar,
Gandharvakottai and Taluk,
Pudukottai District.

2.The Sub Registrar,
Karambakudi and Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to register the sale deed executed by the petitioner in respect of items 1 to 6 and items 7 to 12 respectively and other items of property of Mr.Lingam S/o.Vaithilinga Chetty Sundaram, residing at Block No.131, River Vale Street, No.14-864, Singapore - 540 131 in pursuance of General Power of Attorney Deeds dated 18.04.2016 and 4.8.2016.

For Petitioner : Mr.N.Balakrishnan
For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate

ORDER

This writ petition has been filed, seeking for issuance of a writ of Mandamus, directing the respondents to register the sale deed executed by the petitioner in respect of items 1 to 6 and items 7 to 12 respectively and other items of property of Mr.Lingam S/o.Vaithilinga Chetty Sundaram, residing at Block No.131, River Vale Street, No.14-864, Singapore - 540 131 in pursuance of General Power of Attorney Deeds dated 18.04.2016 and 4.8.2016.



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

4. The learned counsel for the petitioner would submit that the properties in question originally belong to one Samiayyah, who had on 03.06.2011, executed a Will, in favour of his brother-in-law namely Lingam, who in turn, executed a registered power of attorney to Narayanasamy. When he approached the respondents for registering a sale deed, the same was refused to be registered. Hence, the petitioner is before this Court, seeking a direction to the respondents to register the sale deed, executed on the basis of the power of attorney.

5. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that they would consider the registration of the deeds of the petitioner as per law.

6. Recording such statement, this Court, without going into the merits of the case, directs the respondents to consider the representation the deeds executed by the petitioner and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Sub-Registrar,
Gandharvakottai and Taluk,
Pudukottai District.

2. The Sub Registrar,
Karambakudi and Taluk,
Pudukottai District.

+1cc to Mr.N.BALAKRISHNAN Advocate in SR. No. 89593

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 89810

DSK

JS/KP/SAR.4/5.12.2017/2P-5C