



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P (MD) No.7448 of 2013

J.Shanthi Jayasing

... Petitioner

Vs.

1. The District Registrar
Theni Registration District Office,
Theni District.

2. The Sub-Registrar
Theni Sub-Registrar Office,
Theni District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to receive and register the deed of conveyance presented by the petitioner or through her power agent, relating with the property measuring 35 cents comprised in S.No.196/1, in Karuvelanayakkan Patti Village, in Theni District, by disposing her representation dated 29.3.2013.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate

O R D E R

This writ petition has been filed, seeking to direct the second respondent to receive and register the deed of conveyance presented by the petitioner or through her power agent, by disposing her representation dated 29.3.2013.

2. Heard the learned Counsel on either side.

3. The case of the petitioner is that she has submitted a representation dated 29.03.2013 before the second respondent to register the conveyance deed. Since the said representation has



not been considered so far, the petitioner is before this Court with the above prayer.

4. When the matter is taken up for hearing, the learned Government Advocate appearing for the respondents submitted that the petitioner neither submitted a deed of power of attorney nor conveyance deed before the second respondent for registration. As such, no such documents are available with the respondent for taking further action. In support of his contention, he relied on the counter affidavit, wherein, at paragraph No.4, which reads as follows :

"Regarding the averments in para 2 to 5 of the affidavit, it is submitted that the stated power of attorney deed alleged to have been executed by the petitioner was not presented before this respondent for registration in the manner prescribed in Section 32 of the Registration Act, 1908. This respondent can make a decision on registration or refusal or to act in accordance with the provisions contained in Rule 27 of the Registration Rules only if the document is duly presented before him."

5. In view of the above submission, this writ petition is disposed of, leaving it open to the petitioner to approach the authorities concerned with relevant documents, if so required. No costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Registrar
Theni Registration District Office,
Theni District.
 2. The Sub-Registrar
Theni Sub-Registrar Office,
Theni District.
- +1 cc to M/S.R.Suriyanarayanan, Advocate SR.No.93244
+1 cc to M/S.Special Government Pleader SR.No.93348

W.P(MD) No.7448 of 2013
15.12.2017

PK/KK/SAR-1/04.01.2018 : 2P/5C