

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.5259 of 2018

and

W.M.P.Nos.6457 & 6477 of 2018

K.Venkateswara Raju

.... Petitioner

Vs.

1. The Sub Registrar,
Ambattur,
Thiruvallur District.

2. J.Venkatesan

.... Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, declaring the registration of deed of revocation of the power of attorney dated 12.07.2017 in Document No.8945/2017 on the file of the Sub-Registrar, Ambattur, as null and void.

For Petitioner : Mr.M.Baskar
for Mr.N.Elumalai

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader for R1

O R D E R

The petitioner is seeking for declaration to declare that the registration of the Deed of Revocation of Power of Attorney dated 12.07.2017 in Document No.8945 of 2017 on the file of the first respondent, as null and void.

2. Heard, Mr.M.Baskar, learned counsel appearing for the petitioner, Mr.D.Suriyanarayanan, learned Additional Government Pleader appearing for the 1st respondent and perused the materials placed before this Court.

3. It is stated that the 2nd respondent as the principal has executed a power of attorney in favour of the petitioner who claims to be a builder in pursuant to a joint venture agreement

entered into with the 2nd respondent during the year 2012. It is seen that the 2nd respondent has subsequently cancelled the said power by executing the Deed of Revocation of the said power of attorney and got it registered before the first respondent. Now, the said revocation deed is questioned before this Court by contending that the first respondent ought not to have registered the said document.

4. In my considered view, the issue raised in this writ petition is purely a civil dispute between the petitioner and the 2nd respondent which has to be agitated only before the competent Civil Court by filing appropriate civil suit. Certainly, the course of action adopted by the petitioner by filing the present writ petition with the relief as stated supra is not a proper one as the petitioner has ample avenues before the Civil Forum. Therefore, without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of by granting liberty to the petitioner to agitate the matter before the Civil Court by filing appropriate proceedings. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsi

To

The Sub Registrar,
Ambattur,
Thiruvallur District.

+1cc to Mr.N.Elumalai, Advocate, S.R.No.18006
+1cc to the Government Pleader, S.R.No.18118

GMR(CO)
RRK(12/03/2018)

W.P.No.5259 of 2018

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