

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Writ Petition No.565 of 2017

V.Ravikumar

...Petitioner

vs.

1. The Sub-Registrar,
(In the cadre of District Registrar),
Gandhipuram Sub Registrar Office,
Saravanampatti,
Coimbatore.
2. The Inspector General of Registration,
Santhome,
Mylapore,
Chennai.
3. The Deputy Inspector General of Registration,
Circuit House Road,
Coimbatore - 18.
4. The Assistant Inspector General of Registration,
Circuit House Road,
Coimbatore -18.
5. Kumar

6. Sundararajan

....Respondents

Writ Petition filed under section 226 of the constitution to issue a Writ of Mandamus to direct the respondents 1 to 4 to consider and pass orders on the petitioner's representation dated 23.11.2016.

For Petitioner : Mr.S.Gopinathan
For Respondents : Mr.P.P.Purushothaman,
Government Advocate
for R1 to R4
No appearance for R5 and R6.

O R D E R

The petitioner seeks for a mandamus directing the respondents 1 to 4 to consider his representation dated 23.11.2016 and pass orders on the same. In and by the said representation, the petitioner sought for action to be taken by the respondents 1 to 4 against the private respondents 5 and 6.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 4.

3. It is claimed by the petitioner that the 5th respondent issued a power of attorney in favour of him in the year 2004 and based on such power of attorney, he dealt with the property referred to in the said deed. It is the further case of the petitioner that the 5th respondent unilaterally cancelled the said power of attorney in the year 2015 and executed another power in favour of the 6th respondent. Therefore, it is contended by the petitioner that in view of the change of power from the petitioner to the 6th respondent, he is not in a position to deal with the properties referred to in the original power of attorney executed in favour of the petitioner in the year 2004. Therefore, the petitioner seeks for action by the respondents 1 to 4 against the respondents 5 and 6.

4. I fail to understand as to how the above stated facts and circumstances would entitle the petitioner to seek for a remedy before this Court exercising the jurisdiction under Article 226 of the Constitution of India, even though the prayer sought for is for disposal of the representation, especially, when those facts and circumstances would only disclose that it is purely a civil dispute between the petitioner and the respondents 5 and 6 which has to be agitated only before the competent Civil Court, if at all the petitioner is having any right or grievance against the 5th and 6th respondents in dealing with the subject matter property. Therefore, I find that the very representation made by the petitioner before the respondents 1 to 4 is totally misconceived and thus, not maintainable and outside the scope of the power vested on such authorities. Therefore, this Court finds that the petitioner is not entitled for any relief, muchless a direction to the respondents 1 to 4 to consider his representation and pass orders on the same. However, it is open to the petitioner to agitate the matter before the competent Civil Court as stated supra, if any legal right is vested on the

petitioner to do so. Accordingly, the writ petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Sub-Registrar,
(In the cadre of District Registrar),
Gandhipuram Sub Registrar Office,
Saravanampatti, Coimbatore.
2. The Inspector General of Registration,
Santhome, Mylapore, Chennai.
3. The Deputy Inspector General of Registration,
Circuit House Road, Coimbatore - 18.
4. The Assistant Inspector General of Registration,
Circuit House Road, Coimbatore -18.

+1cc to Mr.M.Aravind Subramaniam, Advocate, S.R.No.84620

+1cc to the Government Pleader, S.R.No.85061

W.P.No.565 of 2017

MG(CO)
GSP(21/12/2018)

सत्यमेव जयते

WEB COPY