

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.28105 of 2018

L.Velayutham

...Petitioner

Vs.

1. The District Registrar,
Registration Department,
Government of Puducherry,
Kamarajar Salai,
Sakthi Nagar, Puducherry-605001.

2. The Sub Registrar, Administration,
Registration Department,
Government of Puducherry,
Kamaraj Salai, Sakthi Nagar,
Saram, Puducherry-605001.

3. The Sub Registrar,
Registration Department,
Government of Puducherry,
Kamaraj Salai, Sakthi Nagar,
Saram, Puducherry-605001.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records from the 3rd respondent pertaining to the impugned order dated 01.09.2015 issued by the 3rd respondent herein, and to quash the same, consequently direct the 3rd respondent to register the Power of Attorney document dated 13.08.2015 in favour of the petitioner.

For Petitioner : Mr.T.Dhanasekaran

For Respondents: Mr.Stalin Abhimanyu
Government Advocate (Puducherry)

O R D E R

This writ petition is filed challenging the order of the third respondent dated 01.09.2015 refusing to register the Power of Attorney dated 13.08.2015, presented by the petitioner for Registration.

2. Heard both sides.

3. Though several grounds are raised against the impugned order of the third respondent, this Court is not inclined to entertain the writ petition on the sole reason that the petitioner has already filed an appeal before the second respondent against the very same impugned order of the third respondent, however, with enormous delay and that the said appeal was rejected by an order dated 05.07.2017 as time barred. The petitioner has not chosen to question the said order of the second respondent. On the other hand, he filed the present writ petition challenging the order of the third respondent alone. Even otherwise, as it appears that the civil dispute with regard to the title of the property, which is the subject matter of the Power of Attorney, has to be sorted out by the petitioner by approaching the competent Civil Court, which fact is evident, apparently on the face of the order passed by the third respondent, this Court is not inclined to entertain the writ petition, more particularly, when the petitioner has chosen to approach this Court after a period of three years from the date of the impugned order. However, it is for the petitioner to workout his remedy before the competent Civil Court against the appropriate persons. Accordingly, this writ petition is disposed of with the above observations. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sni/vri

To

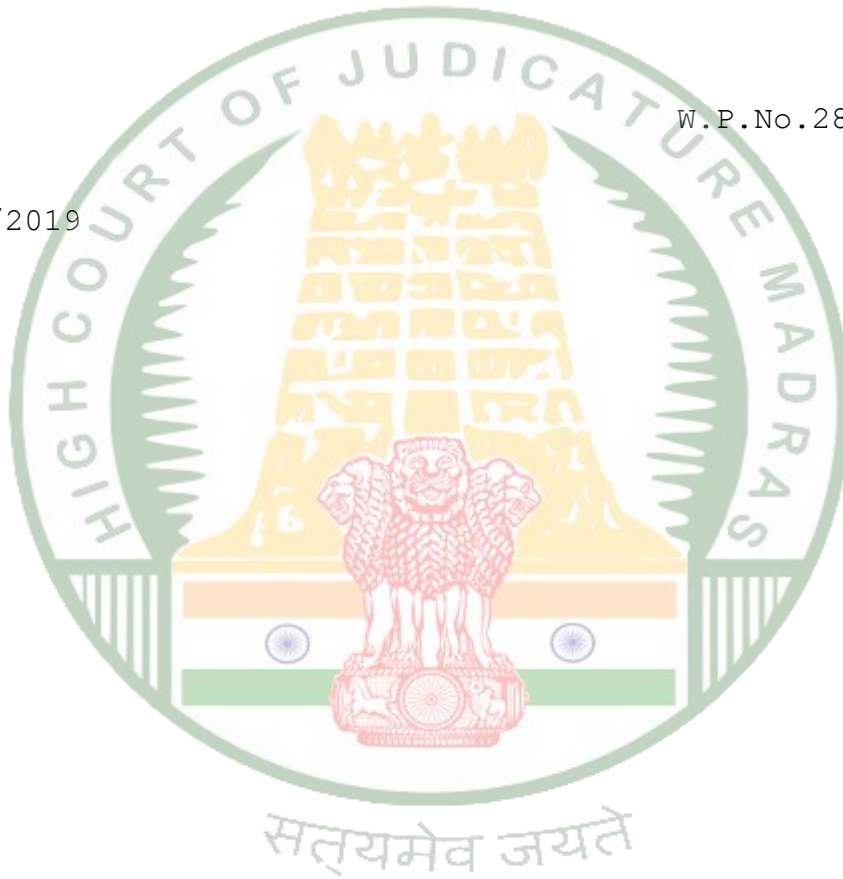
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+lcc to Mr.T.Dhanasekaran, Advocate Sr.14350
+lcc to the Government Pleader Sr.14424

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sr[co]
srg 11/03/2019



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