



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.7347 of 2019

WEB COPY

M.Krishnan

... Petitioner

Vs

1.The District Registrar & Appeal Officer,
District Registrar office,
No.171, Palace Road,
Madurai-001.

2.The Joint Sub Registrar No.1,
Madurai-South Sub Registrar Office,
No.171, Palace Road,
Madurai-001.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to cancel the order of the second respondent dated 12.02.2016 in respect of pending document No.B58/2015 and consequently direct the second respondent to register the document submitted by the petitioner or consider the petitioner's representation dated 21.12.2018 within stipulated period.

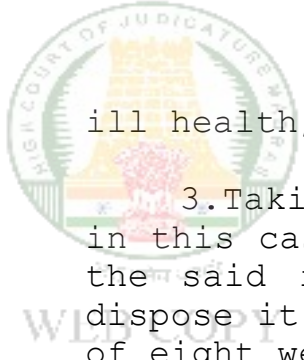
For Petitioner : Mr.R.Santhanam

For Respondents : Mr.M.Murugan,
Government Advocate

ORDER

The petitioner presented a Power of Attorney deed dated 12.03.2015 for registration before the second respondent. The second respondent by a communication dated 29.02.2016 declined to register the same. It appears that the second respondent took the said decision since the petitioner did not produce the parent document. The petitioner, if aggrieved by the communication, ought to have filed an appeal before the first respondent within a period of 30 days. The petitioner moved the first respondent belatedly. He filed a representation only on 21.12.2018. That is why, the first respondent declined to consider the said representation.

2.When the matter was taken up for hearing, the learned counsel appearing for the petitioner stated that on account of his



ill health, the petitioner could not file an appeal in time.

3. Taking note of the special facts and circumstances obtaining in this case, this Court directs the first respondent to entertain the said representation as if the appeal is filed in time and dispose it of on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Registrar & Appeal Officer,
District Registrar office,
No.171, Palace Road,
Madurai-001.

2. The Joint Sub Registrar No.1,
Madurai-South Sub Registrar Office,
No.171, Palace Road,
Madurai-001.

+1 CC to M/s.R.SANTHANAM, Advocate (SR-61566[F] dated
22/04/2019)

+1 CC to M/s.SPL GP (SR-62166[F] dated 24/04/2019)

PNN

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