



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.982 of 2020

1.Saraswathi
2.Premavathi
3.Ramasamy @ Venkatraman

...Petitioners

Vs

1.The District Registrar,
Villupuram.

2.The Sub Registrar,
Tirukoilur,
Kallakurichi 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 accept and register the power of attorney deed sought to be executed by the petitioners 1 and 2 in favour of third petitioner in respect of the property in Dry.S.No.137/6C - 5.50 acres situated at Aalur Village, Tirukoilur Taluk under patta No.1089 in accordance with law.

For Petitioners : Mr.N.Suresh

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition is filed for direction directing the second respondent to register the power of attorney deed which was executed by the petitioners 1 and 2 in favour of the third petitioner in respect of the property comprised in Survey No.137/6C, 5.50 acres situated at Aalur Village, Tirukoilur Taluk in patta No.1089.

2. The petitioners 1 and 2 are sisters and they presented deed of power of attorney executed in favour of the third petitioner for registration before the second respondent on 25.11.2019. However, the second respondent imposed condition to register the said document that unless survey No.137/6C was



removed from the schedule of the property, it cannot be registered.

3. On perusal of the counter filed by the second respondent, revealed that the property comprised in survey No.137/6C to an extent of 13 cents was already sold out by one, Vijayaraghavan and four others in favour of one, Subramanian and two others and the same was registered in document No.2604 of 2004. Therefore, in order to avoid the double document in respect of the property comprised in survey No.137/6C to an extent of 13 cents, the petitioners were advised to clear the above said cloud on the said survey number.

4. Considering the above, the petitioners are directed to re-present the power of attorney deed for registration within a period of two weeks from the date of receipt of copy of this order. On receipt of the same, the second respondent is directed to conduct enquiry in this regard and pass orders to register the power of attorney deed.

5. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Registrar,
Villupuram.

2.The Sub Registrar,
Tirukoilur,
Kallakurichi District.

+1cc to Mr.N.Suresh, Advocate SR. No.57790
+1cc to the Government Pleader SR. No.58031

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PCH (CO)
PR (30/11/2021)