



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.23949 of 2021

T.C.Dayanandan (alias) Dayanidhi

... Petitioner

Vs

1. The Inspector General of Registration,
Santhome,
Chennai - 600 028.

2. The Sub-Registrar, Poonammallee
Poonammallee,
Chennai - 600 056.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records from the second respondent and quash the impugned order of dismissal in Refusal Slip RFN/Poonammallee/57/2021 dated 22.10.2021 of the second respondent refusing to register the Deed of Cancellation of General Power of Attorney dated 22.10.2021 presented by the petitioner to cancel the registered Power of Attorney dated 18.06.2016 in so far as the petitioner's share is concerned and further direct the second respondent to register the document without insisting for production of the original power of attorney dated 18.06.2016 Doc.No.2217 of 2016, registered on the file of the Sub Registrar Office, Poonammallee.

For Petitioner : Mr.N.R.Anantha Rama Krishnan

For Respondents : Mr.A.Selvendran
Government Advocate

ORDER

This writ petition is filed to issue a Writ of Certiorarified Mandamus, calling for the records from the second respondent and quash the impugned order of dismissal in Refusal Slip RFN/Poonammallee/57/2021 dated 22.10.2021 of the second



respondent, refusing to register the Deed of Cancellation of General Power of Attorney dated 22.10.2021 presented by the petitioner to cancel the registered Power of Attorney dated 18.06.2016, insofar as the petitioner's share is concerned and further direct the second respondent to register the document without insisting on production of the original Power of Attorney dated 18.06.2016 in Document No.2217 of 2016, registered on the file of the Sub Registrar Office, Poonamallee.

2. While pending the Writ Petition, the second respondent registered the Deed of Revocation of Power of Attorney on 02.11.2021. Normally, when the principal intended to revoke the Power of Attorney, the principal is not possessed of the original Power of Attorney, since the original Power of Attorney will normally be with the Power Holder. In these kinds of matters, the Sub Registrar shall not insist on production of the original Power of Attorney while registering the Deed of Revocation of Power of Attorney.

3. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
Santhome,
Chennai - 600 028.

2. The Sub-Registrar, Poonammallee
Poonammallee,
Chennai - 600 056.

+1cc to the Government Pleader SR.No.57866

W.P.No.23949 of 2021

PMK(CO)
GN(01/12/2021)