

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2021

CORAM

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 298 of 2017

1. Madhuben Sanghvi
2. Jayasree Sanghvi
3. Joshnaben C. Shan
4. Saroj Pandia
5. Amarpal Pandia
6. Ayusha Pandia

... Petitioners

Vs

1. The State

Rep. By Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai - 09.

2. The Tahsildar,
Purasawalkam-Permbalur Taluk,
Perambur,
Chennai 600 011.

3. The Sub Registrar,
Purasawalkam,
Chennai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent herein to receive the Deed of General Power of Attorney dated 24.08.2016 executed by the petitioner's in favour of Sripal Pandia, S/o. Late Vakthavarmal Pandia, in respect of the property in Survey No.506/2 Part in Perambur Village, Purasawalkam Taluk, more fully described in the said Deed of General Power of Attorney and register the same and return the duly registered document to the petitioners.

For Petitioners : Mr. A.R.Karthick Lakshmanan
for M/s.A.L.Ganthimathi

For Respondents 1 &2: Ms. A.Madhumathi,
Spl. Government Pleader
3 : Mr.P.P.Purushothaman

O R D E R

This Writ Petition is filed for the issuance of Writ of Mandamus directing the third respondent to receive the Deed of General Power of Attorney dated 24.08.2016, executed by the petitioners in favour of one Sripal Pandia, in respect of the property in Survey No.506/2 Part in Perambur Village, Purasawalkam Taluk.

2. It appears that the land which is dealt with under the Power of Attorney Deed is the subject matter of land acquisition. The Registrar, at the request of the Requisition Department has not registered the document. Before the Court, the the land acquisition proceeding come to an end and that the petitioner's land is free from any acquisition proceeding. In such circumstance, this Court is of the view that the petitioners are entitled to present document for registration and subject to the other usual formalities for registering the document, the third respondent can be directed to register the document.

3. Accordingly, the third respondent is directed to consider the document namely the Power of Attorney Deed dated 24.08.2016, for registration and register the same in accordance with law and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. The petitioners are directed to present the document in compliance with the requirements of Registration Act and the Rules that are applicable. If the document is registered, the third respondent shall return the document to the petitioners.

4. With the above direction, this Writ Petition is allowed.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Fort St.George, Secretariat,
Chennai - 09.

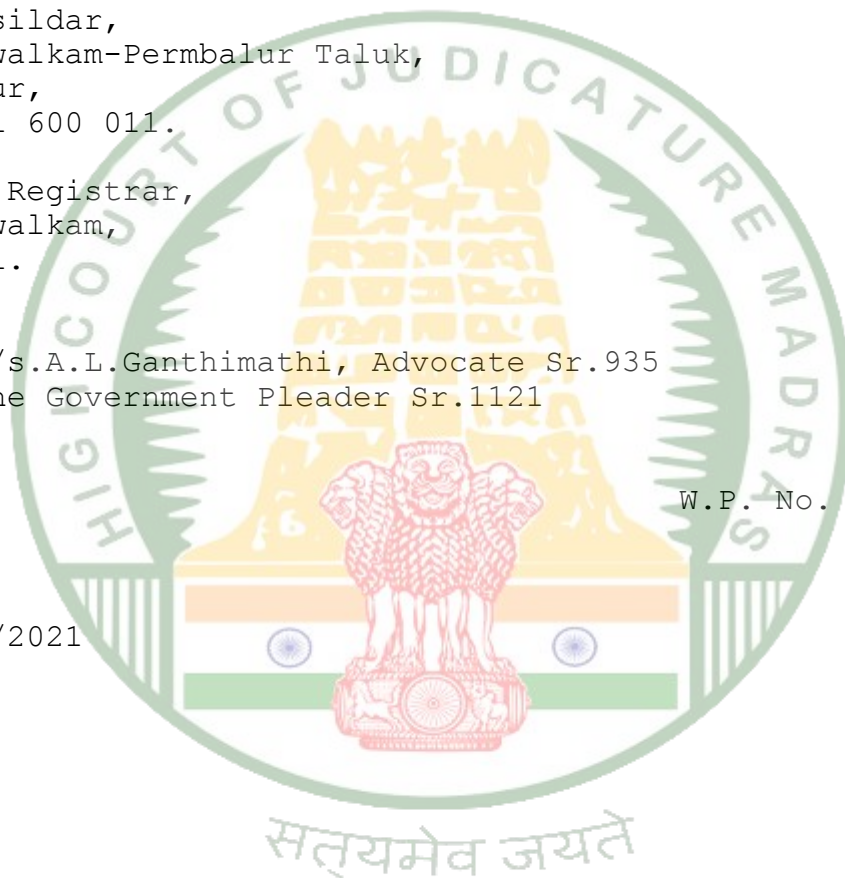
2.The Tahsildar,
Purasawalkam-Permbalur Taluk,
Perambur,
Chennai 600 011.

3.The Sub Registrar,
Purasawalkam,
Chennai.

+1cc to M/s.A.L.Ganthimathi, Advocate Sr.935
+1cc to the Government Pleader Sr.1121

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srg 08/02/2021



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