



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) .No.14214 of 2021

G.Divya

... Petitioner

Vs.

The Sub Registrar,
Sub Register Office,
Manamadurai Taluk,
Sivagangai District - 630 606.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the respondent to register the General Power Deed of the petitioner's on the file of the respondent office vide temporary acknowledgment No.TP/103986930/2021, dated 30.07.2021 within a stipulated time.

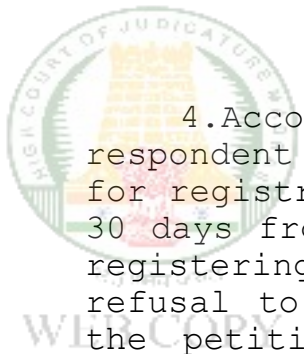
For Petitioner	: Mr.R.Senthilkumar
For Respondent	: Mr.R.Baskaran
	Counsel for State

ORDER

The petitioner seeks a direction for the registration of a General Power of Attorney, which was submitted to the respondent under temporary acknowledgement No.TP/103986930/2021 dated 30.07.2021.

2.The petitioner states that she purchased lands in several Survey numbers at Manampakki Village Group, Manamadurai Taluk, Sivagangai District, from one Muthurakku. It is stated that these lands were purchased under Document No.1148/2010 dated 17.03.2010. On account of the inability of the petitioner to maintain the lands, the petitioner decided to execute a General Power of Attorney in favour of her vendor, namely, Mr.Muthurakku. When the petitioner submitted the General Power of Attorney for registration, she was provided a temporary acknowledgement number on 30.07.2021. The present writ petition is filed because the respondent has neither registered the General Power of Attorney nor issued a refusal check slip in respect thereof.

3.The registration authorities are under an obligation to either register an instrument that is received for registration or refuse to register the same by citing the reason therefor. In any case, this should be done within a reasonable time. In the present case, the petitioner refers to the temporary acknowledgement issued on 30.07.2021 and states that no action has been taken thereafter.



4. Accordingly, without going into the merits of the matter, the respondent herein is directed to decide on the petitioner's request for registration of the General Power of Attorney within a period of 30 days from the date of receipt of a copy of this order by either registering such instrument or indicating cogent reasons for the refusal to register the same by way of a written communication to the petitioner. The petitioner shall be provided a reasonable opportunity prior to such decision.

5. W.P. (MD). No. 14214 of 2021 is disposed of on these terms without any order as costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Sub Registrar,
Sub Register Office,
Manamadurai Taluk,
Sivagangai District - 630 606.

+1 CC to M/s. Special Government Pleader (SR-26368[F] dated 16/08/2021)

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13.08.2021

RS (23.08.2021) 2P 3C