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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2620 of 2022

S.Sivaraman

... Petitioner

Vs.

1. The District Registrar,
District Registrar (Registration Department) Kanchipuram,
Office at Orikkai, Arasu Nagar,
Kancheepuram 631 601.

2. The Sub Registrar,
Thiruvallangadu Sub Registrar Office,
Tiruvallur District.

3. G.Anandan

4. K.Balaji

5. G.Jayakrishna

... Respondents

PRAYER: The Writ Petition filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus or any other appropriate writ, or direction in the nature of writ, directing the first respondent herein to dispose the complaint dated 07.12.2021 on merits, submitted by the petitioner herein, pending before the first respondent herein, within the stipulated period, as prescribed by this Hon'ble Court.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

Writ Petition has been filed to direct the first respondent herein to dispose the complaint dated 07.12.2021 on merits, submitted by the petitioner herein, pending before the first respondent herein, within the stipulated period, as prescribed by this Hon'ble Court.



2. Since no adverse orders are passed against the respondents, notice to them is not necessary and this Writ Petition is disposed of, based on the available materials.

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3. The case of the petitioner is that the petitioner is the absolute owner of the property and the Power of Attorney was executed in favour of respondents 3 and 4 before the 2nd respondent and in order to revoke the said Power of Attorney, he intimated vide letter dated 08.09.2021 to the 2nd respondent and even after receipt of the deed of cancellation dated 27.09.2021, the 4th respondent neglected to do his duty and refused to record and register the deed of cancellation of power without any valid reasons. Hence, the petitioner made a complaint with the first respondent/District Registrar on 07.12.2021. However, till date no steps have been taken on the said complaint. Hence, the present case is filed by the petitioner.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it is a mandatory requirement on the part of the registration authority to strictly comply with the Circular NO.189/C1/2013 dated 02.02.2013, in which it is specifically provided as a mandatory requirement on the part of the power agent as and when intending to register any document in respect of the property and therefore, it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's complaint dated 07.12.2021 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Special Government Pleader has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioner's complaint dated 07.12.2021 on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



rgi/sk
To

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1. The District Registrar,
District Registrar (Registration Department) Kanchipuram,
Office at Orikkai, Arasu Nagar,
Kancheepuram 631 601.
2. The Sub Registrar,
Thiruvalangadu Sub Registrar Office,
Tiruvallur District.

+1cc to Mr.G.Thangavel, Advocate Sr.9772
+1cc to the Government Pleader Sr.10713

W.P.No.2620 of 2022

gsm[col]
srg 08/03/2022