

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.5709 of 2021

N.Brindalakshmi

...Petitioner

Vs

1.The Sub Registrar,
Sub-Registrar Office,
3/156, Salt Road,
Cheyyur - 603 302

2.The Sub-Registrar,
Sub-Registrar Office,
No.36, Bharatha Madha Street,
Ruby Mansion, Tambaram Road,
Selaiyur, Chennai 600 059

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to register the power of attorney dated 29.10.2020 bearing pending document No.64/2020 in the Office of the first respondent within a time to be fixed by this Court.

For Petitioner : Mr.B.Arvind Srevatsa

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

The writ petition has been filed for direction directing the first respondent to register the power of attorney dated 29.10.2020 bearing pending document No.64/2020 in the Office of the first respondent within a time to be fixed by this Court.

2. Heard, the learned counsel for the petitioner and the Special Government Pleader appearing for the respondents.

3. The petitioner purchased a vacant land at plot Nos.94 & 95 comprised in survey Nos.460, 454/2 (part) situated at Indira Priyadharshini Nagar, Perumbakkam Village, Saidapet

Taluk, Chengalpet District admeasuring 5920 sq.ft. by the registered sale deed dated 12.03.1985 vide document No.1796 of 1985. Since the petitioner was unable to look after the said property, he executed power of attorney in favour of one, Ravikumar and the same was registered vide document No.1377 of 2019 dated 01.11.2019. Thereafter, the petitioner executed a deed of revocation of power of attorney dated 21.10.2020 and the same was registered vide document No.863 of 2020. Again the petitioner executed power of attorney in favour of one, Madan kumar and presented the same for registration before the first respondent on 31.10.2020. The said power of attorney was in favour of two properties i.e. schedule-1 is the property comprised in survey No.107/9 situated at Kadukkalur Village, Cheyyur and the schedule-2 is the property comprised in survey Nos.460 and 454/2B situated at Perumbakkam Village, Tambaram. On receipt of the same, the first respondent had kept the document as pending in document No.64 of 2020 and by letter dated 31.10.2020 called upon the second respondent to verify whether there are any prohibitory orders, injunction orders from Court, HR&CE Department, Government lands, Wakf Board lands insofar as the subject lands to register the same. By reply dated 30.11.2020, the second respondent stated that there are no prohibitory orders in respect of the subject property. Even then, the first respondent without registering the power of attorney simply kept as pending in document No.64 of 2020.

4. Considering the above, the first respondent is directed to register the power of attorney document dated 29.10.2020 and release the same forthwith to the petitioner, if it is otherwise in order.

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

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Lok

To

1.The Sub Registrar,
Sub-Registrar Office,
3/156, Salt Road,
Cheyyur - 603 302

2.The Sub-Registrar,
Sub-Registrar Office,
No.36, Bharatha Madha Street,
Ruby Mansion, Tambaram Road,
Selaiyur, Chennai 600 059

+1cc to Government Pleader, SR.No.8039

WP.No.5709 of 2021

PMK(CO)
GN(24/02/2022)