



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P.No.9900 of 2022

Mohammed Sulaiha

... Petitioner

Vs.

1. The Inspector General of Registration,
Registration Department,
No.100, Santhom Highway,
Chennai 600 028.
2. The Deputy Inspector General of Registration,
(Chennai Zone),
Registration Department,
Integrated Building for Offices of the
Commercial Taxes and Registration Department,
Department Fanepet, Nandanam, Chennai 600 035.
3. The District Registrar (Chennai North),
Registration Department,
NSC Bose Road, Kuralagam 1st Floor,
Esplanade, Chennai 600 108.
4. The Sub-Registrar,
Royapuram Sub Registration Office,
Registration Department,
No.535, Tondiarpet High Road,
Near Maharani Theatre,
Chennai 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 4th respondent to register the General Power of Attorney document executed by the petitioner's husband Samsudeen s/o Peer Mohammed without his signature in favour of the petitioner by considering the petitioner's representation dated 19.03.2022 preferred before the 1st to 4th respondents an accordance with law within the time stipulated by this Court.

For Petitioner : M/S.S.Mohamed Ansar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the fourth respondent to register the General Power of Attorney document executed by the petitioner's husband Samsudeen, s/o Peer Mohammed, without his signature in favour of the petitioner by considering the petitioner's representation dated 19.03.2022 preferred before the respondents 1 to 4 in accordance with law, within the time stipulated by this Court.

2. The case of the petitioner is that the petitioner's husband is carrying on steel business along with his partners. Due to physical illness, the petitioner's husband could not sign the documents regarding Income Tax, GST and other business records. Therefore, the petitioner decided to manage her husband's property and business by getting General Power of Attorney. However, due to her husband's physical illness, he is not able to sign any documents, for which, the petitioner made a representation dated 19.03.2022 before the respondents, seeking to register the General Power of Attorney document in her favour without her husband's signature. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that the petitioner's husband is only capable of giving thumb impressions. Therefore, it is sufficient, that this Court issues direction to the fourth respondent to consider the petitioner's representation dated 19.03.2022 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. Mr. Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents submitted that, unless and otherwise the petitioner's signature is verified, no document can be entertained.

5. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader for the respondents and perused the materials available on record.

6. In view of the aforesaid submissions, if the petitioner has any grievance, the petitioner has to approach the authorities concerned, and her document shall be entertained based on the Provisions of Registration Act and Indian Stamp Act. The prayer sought for in this Writ Petition cannot be granted. However, liberty is granted to



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the petitioner to present the document in question before the competent authority, and if such document is presented within the parameters of Registration Act and Indian Stamp Act, the petitioner's document shall be entertained and appropriate orders shall be passed.

7. With the above observation and directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jd/rap

To

1. The Inspector General of Registration,
Registration Department,
No.100, Santhom Highway,
Chennai 600 028.

2. The Deputy Inspector General of Registration,
(Chennai Zone),
Registration Department,
Integrated Building for Offices of the
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+1 cc to Mr.S.Mohamed Ansar, Advocate Sr.NO. 27834

+1 cc to Spl.Government Pleader Sr.NO. 238897

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SKM(CO)

A.SK(23/05/2022)