



WEB COPY



W.P.No.31413 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31413 of 2022
and
W.M.P.No.30849 of 2022

E. Kannan

... Petitioner

vs.

1. The Sub Registrar, Sooramangalam
Office of Sub-Registrar, Sooramangalam,
Salem District.

2. Vanitha

3. K. Saraswathi

4. K.Dhanaraj

5.G. Mohan

6. G. Sumathi Selvam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration directing the unilateral cancellation deed dated 10.01.2022 Document no.187 of 2022 in Book 1 on



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the file of the first respondent as null and void and direct the first respondent to remove the said entries in Book I maintained by the first respondent and pass orders.

For Petitioner	: Mr.Ali Hassan Khan
For Respondents	: Mr.G. Krishna Raja Additional Government Pleader

ORDER

By consent of both the parties this writ petition is taken up for disposal at the admission stage itself.

2.This Writ Petition has been filed, directing the unilateral cancellation deed dated 10.01.2022 Document no.187 of 2022 in Book 1 on the file of the first respondent as null and void and direct the first respondent to remove the said entries in Book I maintained by the first respondent.

3. Since no adverse order is passed against the private respondents notice to private respondents dispensed with.

4. The case of the petitioner is that the Respondent 2 to 6 herein executed a general power of attorney in the favour of the petitioner and the same was registered as Document No. 2685 of 2017 on 06.07.2017 on the



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file of the first respondent. The very purpose of executing the General Power of Attorney is to clear the dispute in the subject property and the petitioner also paid Rs.50,00,000/- to the Respondents 2 to 6 for executing the said General Power of Attorney. Subsequently the Respondents 2 to 6 cancelled the General Power of Attorney on 10.01.2022 vide Document No. 187 of 2022. Hence the petitioner gave a representation to the first respondent not to entertain any documents or deeds with respect to the subject property. However the same has not been considered. Hence the petitioner has filed the present Writ Petition.

5. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues direction to the official respondents not to entertain any documents or deeds with respect to the subject property and pass orders.

6. Heard both sides and perused the materials available on record.

7. Admittedly the facts of the case are not in dispute that the Respondents 2 to 6 have executed the power of attorney to the petitioner upon receiving a valuable consideration and thereafter cancelled the power



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of attorney. It is a known fact that the Power of Attorney does not confer any title to the person it is a legal authorization for a designated person to make decision about another persons property. Hence the petitioner does not have any title over the subject property.

8. In such view of the matter, the petitioner has to ventilate his grievance by filing a suit before the Competent Civil Court and he cannot avail the benefit by preferring the present writ petition, which is not maintainable.

9. For the reasons stated above, this Writ Petition is dismissed. No costs. Consequently the connected miscellaneous petition is closed. However the petitioner is at liberty to work out his remedy before the Competent Civil Court.

24.11.2022

Index : Yes/No
Speaking order : Yes/No
smn



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To

1. The Sub Registrar, Sooramangalam
Office of Sub-Registrar, Sooramangalam,
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M.DHANDAPANI,J.

smn

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