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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27893 of 2019
and
W.M.P.No.27465 of 2019

Jackson Jaiprakash Joseph

... Petitioner

vs.

1.The Sub-Registrar,
Kundrathur Sub-Registrar Office,
NGS Enclave, Manickam Salai,
Kundrathur, Chennai - 600 069.

2.V.Jayalakshmi

3.V.Banumathi

4.N.Swernalatha

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to conduct the enquiry based on the representation dated 26.07.2019 given by the petitioner and to cancel the illegal Power of Attorney Document Nos. 4653/2016 and 4654/2016 on the file of the 1st respondent, executed by the 3rd and 4th respondents in favour of the 2nd respondent and two sale deeds registered as sale deed document Number 6141/2009 and document Number 6140/2009 in favour of the 3rd and 4th respondents in respect of 311 Sq.ft UDS each comprised in S.No.135/1, situated at No.1, Andavar Nagar Second Street, Thiruverkadu Village, Thiruverkadu, Poonamallee Taluk, Thiruvallur District.

For Petitioner : Mr.A.E.Ravichandran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

For R2 to R4 : No Appearance



ORDER

WEB COPY This writ petition has been filed to issue a Writ of Mandamus, directing the 1st respondent to conduct the enquiry based on the representation dated 26.07.2019 given by the petitioner and to cancel the illegal Power of Attorney Document Nos. 4653/2016 and 4654/2016 on the file of the 1st respondent, executed by the 3rd and 4th respondents in favour of the 2nd respondent and two sale deeds registered as sale deed document Number 6141/2009 and document Number 6140/2009 in favour of the 3rd and 4th respondents in respect of 311 Sq.ft UDS each comprised in S.No.135/1, situated at No.1, Andavar Nagar Second Street, Thiruverkadu Village, Thiruverkadu, Poonamallee Taluk, Thiruvallur District.

2. The petitioner submitted representation dated 26.07.2019 before the 1st respondent to cancel the Power of Attorney executed by the 2nd respondent in favour of the 3rd and 4th respondents herein registered vide Document Nos.6141/2009 and 6140/2009 in respect of the property comprised in S.No.135/1 ad-measuring to an extent of 311 sq.ft, undivided share situated at No.1, Andavar Nagar Second Street, Thiruverkadu Village, Thiruverkadu, Poonamallee Taluk, Thiruvallur District. However, the 1st respondent has no power to enquire any complaint regards fraudulent transaction and as such, the direction sought for in this writ petition cannot be granted.

3. However, the petitioner is at liberty to make fresh application before the District Registrar concerned within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the concerned District Registrar is directed to consider and dispose the same, after issuance of notice to the petitioner and 2nd to 4th respondents and after giving opportunity of hearing to them, pass orders on merits and in accordance with law.

4. With the above direction, this writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



dm

To

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The Sub-Registrar,
Kundrathur Sub-Registrar Office,
NGS Enclave, Manickam Salai,
Kundrathur, Chennai - 600 069.

+1cc to the Government pleader Sr.6904

W.P.No.27893 of 2019

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srg 22/02/2022