



W.P(MD)No.21817 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21817 of 2015

and

M.P(MD)No.1 of 2015

M.Siddique

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o. the Inspector General of Registration,
100, Santhome High Road,
Chennai-600 028.

2.The District Registrar,
O/o. the District Registrar,
Muthurani Mudukku Lane,
Karaikudi-630 101.

3.The Sub-Registrar,
Thondi Sub-Registrar Office,
Thondi,
Ramnad District-623 409.

4.Asan Ali

5.Ahamed Sherief

6.M.Mohamed Iqbal



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7.Jaffer Sadiq

... Respondents

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the Deed for Power of Attorney in Document No. 1772 of 2013 dated 19.12.2013 on the file of the Respondent No.3 and quash the same as illegal by considering Circular No.67 dated 03.11.2011 issued by the Respondent No.1.

For Petitioner : Mr.M.A.Jinnah

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present writ petition has been filed to quash the power deed in Document No.1772 of 2013, dated 19.12.2013 on the file of the third respondent as illegal on the basis of Circular No.67, dated 03.11.2011.

2. According to the petitioner, he is a visually challenged person and by playing fraud upon him, the impugned power of attorney was extracted from him in favour of the respondents 4 to 7 herein. According



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to the learned counsel for the petitioner, the document is a fraudulent document and the same requires to be cancelled. He further submits that relying upon the said power deed, certain sale deeds have also been executed by the private respondents herein.

3. The learned Additional Government Pleader appearing for the official respondents brought to the notice of the Court that Circular No.67 has already been withdrawn by the Government. Hence, the official respondents will not have any jurisdiction to conduct an enquiry under the said circular. However, the Registration Act has been amended and Section 77-A has been introduced empowering the authorities to cancel the document under certain circumstances.

4. In view of the amended Registration Act, the second respondent herein is directed to consider the representation of the petitioner, dated 05.11.2015 in the light of the amended Registration Act. The second respondent is directed to give due opportunity to the writ petitioner and the private respondents herein before passing any orders. The said exercise shall be completed within a period of four months from the date of receipt of a copy of this order.



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5. With the above said observations, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

14.10.2022

Index : Yes / No
Internet : Yes / No

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To

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3.The Sub-Registrar,
Thondi Sub-Registrar Office,
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Ramnad District-623 409.



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R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.21816 & 21817 of 2015

Dated:
14.10.2022