



WEB COPY



W.P.No.10525 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10525 of 2023

P.L.Raja

...Petitioner

Vs

1.The District Registrar,
Kanchipuram.

2.The Sub Registrar,
Kundrathur Village,
Pallavaram Taluk,
Kanchipuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the second respondent's Proceedings dated 28.09.2021, refusal slip No.P/Kundrathur/705/2019 dated 4th October 2021, refusing to register the Power of Attorney in the returned document No.P161 dated 29.06.2019 and quash the same and direct the second respondent to receive the returned Power of Attorney document No.P161 dated 29.06.2019 along with new Patta No.8887 with respect to the land comprised in Survey No.928/1A over an extent of 56 cents of undivided share out of the total extent of 1 acre 18.5 cents in Kundrathur Village,



W.P.No.10525 of 2023

Pallavaram Taluk, Kanchipuram District and register the same within the time prescribed by this Court.

For Petitioner : Ms.K.R.Gayathri

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

Heard Ms.K.R.Gayathri, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents.

2.The writ petition has been filed, challenging the Refusal Check Slips dated 28.09.2021 and 04.10.2021, refusing to register the Power of Attorney in the returned document No.P161 dated 29.06.2019 and seeking for a direction to the second respondent to receive the said returned Power of Attorney document along with new Patta No.8887 with respect to the land, comprised in Survey No.928/1A, measuring to an extent of 56 cents of undivided share out of the total extent of 1 acre 18.5 cents, situated at Kundrathur Village, Pallavaram Taluk, Kanchipuram District and to register the same within the time prescribed



3. When the petitioner herein had produced a Deed of Power of Attorney before the second respondent herein for registration, the same was returned for the reason that the schedule of property in the Deed of Power of Attorney was given for 56 cents, whereas the ownership was given for 44 cents alone.

4. The learned counsel for the petitioner submitted that as per the old patta, the extent of land was shown as 44 cents only and by inadvertence, they had produced the old patta before the second respondent herein. However, they have now obtained new patta No.8887, which evidences that they have total extent of 56 cents of land.

5. In the light of the submissions made, there cannot be any impediment for the second respondent to entertain the Deed of Power of Attorney for registration, if it is otherwise in order.



WEB COPY



W.P.No.10525 of 2023

M.S.RAMESH,J.

vga

6. Accordingly, the petitioner is granted liberty to produce the Deed of Power of Attorney dated 28.06.2019 for registration before the second respondent herein together with Patta No.8887 and on receipt of the same, the second respondent shall register it, within a period of two weeks therefrom, if it is otherwise in order.

7. The writ petition stands ordered accordingly. No costs.

19.04.2023

Index: Yes/No

Speaking order/Non-speaking order

vga

To

1. The District Registrar,
Kanchipuram.

2. The Sub Registrar,
Kundrathur Village,
Pallavaram Taluk,
Kanchipuram District.

W.P.No.10525 of 2023