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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.1101 of 2022

B.Periyandi ... Petitioner

vs.

1.The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Thirumogur, Y.Othakadai, Madurai.

2.The District Registrar,
Office of the District Registrar of Registration,
Salai Bazar, Ramanathapuram District.

3.The Sub Registrar,
Office of the Sub Registrar,
Abiramam, Ramanathapuram District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to consider the representation of the petitioner, dated 16.08.2021 to cancel the power deed executed by the petitioner in Doc.No.121/2005.

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For Petitioner :Mr.S.Ramasundarvijayaraj
For Respondents :Mr.M.Prakash
Additional Government Pleader

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O R D E R

This Writ Petition has been filed in the nature of Mandamus seeking a direction against the third respondent to consider the representation of the petitioner, dated 16.08.2021 to cancel the power deed executed by the petitioner in Doc.No.121/2005.

2.Heard Mr.S.Ramasundarvijayaraj, learned Counsel for the petitioner and Mr.M.Prakash, learned Additional Government Pleader for the respondents.

3.The petitioner had executed a power of attorney in favour of PACL India Limited in the year 2005 and had also granted limited power to deal with the property mentioned in the schedule to the power of attorney.

4.Specifically, it is stated by the learned Additional Government Pleader that the properties have been attached. The petitioner had given

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a representation to cancel the power of attorney. The learned Additional Government Pleader has raised objections stating that unilaterally, the power of attorney cannot be cancelled.

5.It is only appropriate that the petitioner approaches the particular Court, which had attached the properties mentioned in the power of attorney and files necessary application and thereafter, seek to cancel the power of attorney. Unilateral cancellation of power attorney, as stated by the learned Additional Government Pleader, cannot be granted by this Court and even the representation cannot be considered by the third respondent.

6.No further orders can be passed.

7.The Writ Petition stands dismissed giving liberty to the petitioner to approach the particular Court with respect to the attachment of property. No costs.

Index :Yes / No **09.03.2023**
Internet :Yes

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NCC : Yes/No
cmr

To

1.The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Thirumogur, Y.Othakadai, Madurai.

2.The District Registrar,
Office of the District Registrar of Registration,
Salai Bazar, Ramanathapuram District.

3.The Sub Registrar,
Office of the Sub Registrar,
Abiramam, Ramanathapuram District.

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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.1101 of 2022

09.03.2023

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