



W.P.(MD) No.10950 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.10950 of 2020

C.Ashok Kumar

.. Petitioner

Vs.

1.The District Registrar,
Department of Registration,
Tiruchirappalli District,
Trichy.

2.The Sub Registrar,
Office of the Sub Registrar,
Srirangam, Trichy-620 006.

3.K.Dharmalingam

4.K.Abdullah

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to direct the 1st respondent to conduct thorough enquiry and thereby annul the General Power of Attorney executed by the 3rd respondent in favour of 4th respondent in Document No.831/2020 dated 13.05.2020 and consequently take appropriate criminal action against the 3rd and 4th respondents for their fraudulent act of execution of General Power of Attorney in respect of



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the petitioner's principal property situated in Plot No.7, T.S.No.2167/1B, Block No.48 Old Municipal Ward-2, Vellithirumutham Village, Srirangam Taluk, Tiruchirappalli District by considering the petitioner's objection petition dated 02.07.2020 and his representation dated 12.08.2020 submitted to the 1st and 2nd respondents respectively within the period stipulated by this Court.

For Petitioner : Mr.N.Sathish Babu
For RR1 & 2 : Mr.C.Satheesh
Government Advocate
For R4 : Mr.V.Janaki Ramulu

ORDER

This writ petition has been filed by the petitioner for the following relief:

“For the issue of a Writ of Mandamus to direct the 1st respondent to conduct thorough enquiry and thereby annul the General Power of Attorney executed by the 3rd respondent in favour of 4th respondent in Document No.831/2020 dated 13.05.2020 and consequently take appropriate criminal action against the 3rd and 4th respondents for their fraudulent act of execution of General Power of



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Attorney in respect of the petitioner's principal property situated in Plot No.7, T.S.No.2167/1B, Block No.48 Old Municipal Ward-2, Vellithirumutham Village, Srirangam Taluk, Tiruchirappalli District, by considering the petitioner's objection petition dated 02.07.2020 and his representation dated 12.08.2020 submitted to the 1st and 2nd respondents respectively within the period stipulated by this Court.”

2. The case of the petitioner is that the property bearing Plot No.7, T.S.No.2167/1B, Block No.48, Old Municipal Ward-2, Vellithirumutham Village, Srirangam Taluk measuring an extent of 2900 sq. ft. belonged to his principal's father Tharmalingam. The said Tharmalingam died on 15.04.2012 in Srilanka and the petitioner's principal Ganesalingam being his sole legal heir became the owner of the property. He had therefore, executed a power of attorney in favour of the petitioner to administer and manage the property in question. The right to sale etc., was also given to the petitioner. While undertaking a routine verification of the property, the petitioner herein came to learn that a general power of attorney has been executed in favour of the fourth respondent by one Tharmalingam



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in respect of the petitioner's principal's property. This power of attorney has been executed on 13.05.2020. The document which accompanied the deed was a voters ID made in the name of one Tharmalingam. The Voters ID is said to have been issued on 15.05.2016. Tharmalingam, the original owner of the property, died as early as in the year 2012 itself. The voter ID number when clarified in the National Voters Service Portal was found to be non-existent and is clearly a fraudulent one. Therefore, the petitioner has lodged a complaint to the first respondent to enquire into the matter. However, no steps have been taken to date. Hence, this writ petition.

3. Heard the learned counsel for the parties.

4. Considering the seriousness and the fact that allegation of impersonation and manipulation of document is set out, this Writ Petition is disposed of with a direction to the first respondent to consider the petitioner's objection petition dated 02.07.2020 and his representation dated 12.08.2020 and pass orders within a period of one month from the



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date of receipt of a copy of this order, after giving personal hearing to both parties. No costs.

21.04.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The District Registrar,
Department of Registration,
Tiruchirappalli District,
Trichy.

2.The Sub Registrar,
Office of the Sub Registrar,
Srirangam, Trichy-620 006.



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P.T.ASHA, J.

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