



W.P. (MD).No.17169 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.17169 of 2021

S.Palpandi

... Petitioner

Vs

1. The District Registrar,
Office of the District Registrar,
Thoothukudi District.
2. The Sub-Registrar,
Thiruchendur, Thoothukudi District.
3. Packiyamani
4. M.Mala
5. R.Raj

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to consider and dispose of the petitioner's complaint, dated 03.08.2021 by holding an enquiry in connection with the fraudulent registration of a settlement deed executed by the 3rd



W.P. (MD).No.17169 of 2021

respondent in favor of the 4th and 5th respondents on 07.07.2021 vide Doc. No.1572/2021 at the office of the 2nd respondent, as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr. R.Anand

For Respondents : Ms.D.Farjana Ghoushia (R1, R2)
Special Government Pleader

Mr.V.Malayendran (R3, R5)

No appearance (R4)

ORDER

This Writ Petition has been filed for the issue of a writ of mandamus, directing the first and second respondents to consider the complaint made by the petitioner on 03.08.2021 and to conduct an enquiry to take action against the respondents 3 and 4.

2.Heard, the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 and 5.

3.The petitioner is admittedly the power of attorney appointed by the husband of the third respondent. The husband of the third



W.P. (MD).No.17169 of 2021

respondent had expired. In view of the same, the agency itself gets terminated under Section 201 of the Contract Act, 1872. In view of the same, the petitioner does not have the locus standi to maintain this writ petition. If really the petitioner has paid any amount to the husband of the third respondent and the petitioner has some interest in the property, the petitioner must have been given a power of attorney coupled with interest. Curiously the petitioner has not even chosen to file the copy of the power of attorney document in the typed set of papers.

4.In view of the above, this writ petition is liable to be dismissed on the ground of maintainability. This Court is not inclined to go into other issues that was raised by the learned counsel for the petitioner.

5.Accordingly, this writ petition stands dismissed. No costs.

08.11.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
PNM

3/5



W.P. (MD).No.17169 of 2021

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W.P. (MD).No.17169 of 2021

N.ANAND VENKATESH, J.

PNM

**ORDER IN
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