



W.A(MD)No.543 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.543 of 2023
and
C.M.P(MD)No.5464 of 2023**

V.S.Kamarudeen ... Appellant/4th respondent

-VS-

1.S.Sezhian ... 1st Respondent/Writ Petitioner

2.The Deputy Inspector General of Registration,
Tirunelveli Region,
Tirunelveli.

3.The District Registrar(Admin),
Tenkasi District,
Tenkasi.

4.The Joint Sub-Registrar,
Unit-II, Tenkasi,
Tenkasi District.

5.R.Poolithurai Thalaivanar
... Respondents/1st to 3rd & 5th Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order
dated 22.08.2022 in W.P(MD)No.2244 of 2022.



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For Appellant : Mr.Niranjan.S.Kumar

For R-2 to R-4 : Mr.M.Prakash,
Additional Government Pleader

JUDGMENT

[Judgment of the Court was delivered by R.SUBRAMANIAN, J.]

Being aggrieved by the order of the Writ Court, dated 22.08.2022 made in W.P(MD)No.2244 of 2022, the appellant/writ petitioner has filed this writ appeal.

2. We do not find any reason to entertain this writ appeal. The Writ Court has, as of fact, found that the power agent was not informed of the cancellation of power, when the document was executed on 14.10.2009. We do not find any reason to interfere with the factual finding of the Writ Court since the documents that have been filed do demonstrate that the finding of the writ Court is justified. Moreover, act of a power of attorney in executing a document after cancellation of the power will not fall within the ambit of 22-B of the Registration, 1908, so as to enable the registering authority to cancel the document as a forged document. The Writ Court has given liberty to the



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appellant/4th respondent to approach the civil Court. We do not interfere with the said liberty. The writ appeal stands dismissed. The civil Court will decide the case independently without being influenced by any of the observations made by us or in the writ petition. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

27.04.2023

NCC :Yes/No

Index :Yes/No

PM

To:

- 1.The Deputy Inspector General of Registration,
Tirunelveli Region,
Tirunelveli.
- 2.The District Registrar(Admin),
Tenkasi District,
Tenkasi.
- 3.The Joint Sub-Registrar,
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