



WEB COPY



W.P.No.10160 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.10160 of 2018
and W.M.P. No.12103 of 2018

1.KR.Alagappan

2.KR.Sivaraman

3.AL.Neela

4.S.Meenal

..... Petitioners

-Versus-

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The Sub Registrar,
Office of the Sub Registrar,
Ganapathy, Coimbatore – 641 006.

3.S.Kumar

4.M.Soundarajan

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 and 2 to cancel the following documents : (i) Deed of Cancellation of Power of Attorney executed by the 3rd respondent on 22.09.2015 vide Doc. No.7542/2015 on the file of the



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2nd respondent and thereby cancelled the power of attorney dated 15.10.2004 bearing Doc. No.1569 of 2004; (ii) Power of Attorney executed by the 3rd respondent in favour of the 4th respondent herein dated 30.10.2015 vide Doc. No.2269/2015 on the file of the 2nd respondent herein and consequently direct the 2nd respondent to lodge a complaint against the respondents 3 and 4 under Section 83 of Indian Registration Act.

For Petitioner(s) : Mr.M.Arun Kumar

*For Respondent (s) : Mr.P.Ananda Kumar,
Government Advocate
for R1 & R2
Mr.M.Aravind Subramanian,
Senior counsel
for Mr.Sri Prada Prabhakar
for R3 & R4*

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents 1 and 2 to cancel (i) Deed of Cancellation of Power of Attorney executed by the 3rd respondent on 22.09.2015 vide Doc. No.7542/2015 on the file of the 2nd respondent and thereby cancelled the power of attorney dated 15.10.2004 bearing Doc. No.1569 of 2004; (ii) Power of Attorney executed by the 3rd respondent in favour of the 4th respondent herein dated 30.10.2015 vide Doc. No.2269/2015 on the file of the 2nd respondent



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herein and consequently direct the 2nd respondent to lodge a complaint against the respondents 3 and 4 under Section 83 of Indian Registration Act.

2. It is the case of the petitioners that Deed of Cancellation of Power of Attorney in question is a result of fraud and therefore, the deed of cancellation of power of attorney and the subsequent power of attorney executed by the 3rd respondent in favour of the 4th respondent on 30.10.2015 have to be cancelled.

3. Since civil suit in O.S.No.854 of 2023 has been filed before the District Judge, Coimbatore, by the petitioner along with others in respect of the property which was allegedly conveyed to him for a valuable consideration, it is for the petitioners to canvass all the points that have been raised in this writ petition before the civil court where the suit is now pending.

4. In the result, the writ petition is dismissed, however with the above observations. No costs. Consequently, connected WMP is closed.

01..04..2024

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

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N.SATHISH KUMAR.J.,

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