



WEB COPY



WP.No.4840 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

WP.No.4840 of 2024

P.I.Ibrahim

.. Petitioner

Versus

1.The District Registrar
Joint-I, Syrian Church Road
Coimbatore – 641 002

2.The Assistant Commissioner
South Zone, Coimbatore Corporation
Kuniamuthur, Coimbatore – 641 008

3.G.M.Rajamani
4.J.Rahila Banu

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 18.11.2023 and take appropriate action as against the 3rd and 4th respondent.

For Petitioner : Mr.A.Parthasarathy
For Respondent : Mr.U.Baranidharan for R1 & R2
Additional Government Pleader

R3 - No appearance

Mr.N.C.Ashok Kumar for R4



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ORDER

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2. The grievance of the petitioner is the petitioner is the agreement holder in respect of 4.30 acres. The agreement came to be executed on 1506.2016. Out of 100 plots, 92 plots are already sold and remaining 8 sites are available and has to be sold. When the matter stood thus, the third respondent executed a General Power of Attorney in favour of the fourth respondent fraudulently annexing the DTCP approval. According to the petitioner, this document is executed fraudulently in order to defeat the rights of the petitioner. The suit is also filed in O.S.No.84 of 2023 before the District Munsif, Coimbatore. Hence, seeks a direction.

3. Heard both sides and perused the materials placed on record. At the most, mere direction to consider the representation of the petitioner to cancel the General Power of Attorney will not serve any purpose. The subject document will not fall within the ambit of 22-A or 22-B of the Registration Act



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entailing the authorities to hold an enquiry under Section 77-A of the Registration Act to cancel the same.

4. Such view of the matter, this Court is of the view that it is only a futile exercise in directing the official respondents to consider the representation of the petitioner. It is for the petitioner to establish his right in the suit in O.S.No.84 of 2023 pending on the file of the District Munsif, Coimbatore.

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

01.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

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N. SATHISH KUMAR, J.

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