



W.P.No.5699 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.5699 of 2024

and

W.M.P.Nos.6301 & 6304 of 2024

1. K.Padma

2. K.Malini

3. K.Latha

... Petitioners

Vs.

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

2 The District Registrar,
Office of the District Registrar of Registration,
Saidapet, Chennai 600 015.

3 The Sub-Registrar,
Alandur Sub-Registrar Office,
15/17, Military Quarters,
Alandur, Chennai 600 016.

... Respondents



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PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd Respondent relating to his proceedings in Refusal Check Slip bearing No RFL / ALANDUR / 3-2024 dated 08.02.2024 and quash the same and consequently issue mandamus directing the 3rd Respondent to register the Power of Attorney dated 08.02.2024 executed by the Petitioners in favour of Mr. M.Chandru their Power Agent and also to register the subsequent deeds as authorised by the petitioners through their power of Attorney with reference to the Property situated at Plot No 161, Second Main Road, Hindu Colony, Nanganallur, Chennai 600 061.

For Petitioners : Mr.S.Sundaresan

For Respondents : Mr.Yogesh Kanndasan
Special Government Pleader



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ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent relating to his proceedings in Refusal Check Slip bearing No. RFL / ALANDUR / 3-2024 dated 08.02.2024 and to quash the same and consequently to direct the third respondent to register the Power of Attorney dated 08.02.2024 executed by the petitioners in favour of Mr. M.Chandru their Power Agent and also to register the subsequent deeds, authorised by the petitioners through their power of Attorney with reference to the property situated at Plot No 161, Second Main Road, Hindu Colony, Nanganallur, Chennai 600 061.

2. Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

3.Learned counsel for the petitioners submitted that the petitioners presented the power of attorney deed for registration before the third



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respondent. The third respondent passed the refusal check slip stating the reason that the original parent document has to be annexed along with the document as per Rule 55(A) of the Registration Rules. The petitioners are the beneficiaries of the sale deed and they are claiming title under sale deed dated 21.04.1980. Since the petitioners have not produced the original parent document for registration, the third respondent issued the impugned refusal check slip.

4. Admittedly, the petitioners presented the power of attorney deed for registration before the third respondent. The third respondent issued the refusal check slip for the reason that the original document has to be annexed with the application. Aggrieved by the said order, the petitioners have filed the present writ petition. On a reading of Rule 55(A)(i) of the Registration Rules, the original document has to be annexed with the application at the time of registering the document. Since the petitioners themselves admitted that they have not produced the settlement deed, there is no perversity or illegality in the order passed by the third respondent. It is for the petitioners have to workout their



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remedy in the manner known to law. If the petitioners present the document after complying with the Rule 55(A)(i) of Registration Rules and the same is otherwise in order, the third respondent shall consider the same and pass orders on merits and in accordance with law.

5. With the abovesaid direction, the Writ Petition is dismissed.

There shall be no order as to costs. W.M.P.No.6301 of 2024 is ordered on payment of separate court fees by each of the petitioners.

Consequently, connected miscellaneous petition in W.M.P.No.6304 of 2024 is closed.

06.03.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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P.VELMURUGAN, J.

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