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W.P.No.11510 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.04.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.11510 of 2024

P.Ramanujam

... Petitioner

Vs.

1.The Sub Registrar,
Office of the Sub Registrar,
Ponneri 601 204.

2.R.Mathiazhagan

3.J.Kuthpudeen

4.R.Jaya Babu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent refusing to register the Deed of Cancellation dated 16.03.2024 presented by the petitioner for Cancellation of the Deed of General Power of Attorney dated 23.07.2020, vide Doc.No.2744 of 2020, in respect of the petition property in Plot Nos.1 to 30 & 30A of the DTCP Approved Lay-Out named “New Sun City” comprised in S.No.263/3 measuring Acres 0.70 Cents S.No.263/4 measuring Acres 0.79 Cents S.No.236/6 measuring Acres 0.35 Cents out of Acres 0.59 Cents totally Acres 1.84 Cents No.59, formerly forming part of Kummangalam Village and presently Ponneri – II Village, Ponneri Taluk, Thiruvallur District by



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way of impugned order of Refusal Check-Slip bearing Refusal Number: RFL/Ponneri / 19 / 2024 dated 16.03.2024 and quash the same as without jurisdiction, illegal and bad in law and consequently direct the first respondent to register the Deed of Cancellation dated 16.03.2024 presented by the petitioner for Cancellation of the Deed of General Power of Attorney, dated 23.07.2020, vide Doc.2744 of 2020 if the same is otherwise in order and subject to any other legal compliances required.

For Petitioner : Mr.E.Prabu

For Respondents : Mr.Yogesh Kannadasan, Spl.G.P for R1

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent refusing to register the Deed of Cancellation dated 16.03.2024 presented by the petitioner for Cancellation of the Deed of General Power of Attorney dated 23.07.2020, vide Doc.No.2744 of 2020, in respect of the petition property in Plot Nos.1 to 30 & 30A of the DTCP Approved Lay-Out named “New Sun City” comprised in S.No.263/3 measuring Acres 0.70 Cents S.No.263/4 measuring Acres 0.79 Cents S.No.236/6 measuring Acres 0.35 Cents out of Acres 0.59 Cents totally Acres 1.84 Cents No.59, formerly forming part of Kummangalam Village and



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presently Ponneri – II Village, Ponneri Taluk, Thiruvallur District by way of impugned order of Refusal Check-Slip bearing Refusal Number: RFL/Ponneri / 19 / 2024 dated 16.03.2024 and quash the same as without jurisdiction, illegal and bad in law and consequently direct the first respondent to register the Deed of Cancellation dated 16.03.2024 presented by the petitioner for Cancellation of the Deed of General Power of Attorney, dated 23.07.2020, vide Doc.2744 of 2020 if the same is otherwise in order and subject to any other legal compliances required.

2. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. Challenge has been made to the refusal slip issued by the first respondent, when the petitioner presented the power of attorney cancellation deed. The petitioner and the second respondent had executed a power of attorney on 23.07.2020 and appointed the third and fourth respondents as power agents. Now, the petitioner has presented a document to cancel the power of attorney and the same was refused by the Sub-Registrar on the ground that schedule should be properly



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included, since it is a joint power of attorney, other principal is not joined.

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4. The learned Special Government Pleader for the first respondent would submit that if the petitioner gives correct schedule relating to his share and gives the correct name of the village, the document will be registered.

5. In such view of the matter, the petitioner is directed to re-present the power of attorney cancellation deed stating the correct details as required by the first respondent. On production of such document, the same shall be registered by the first respondent within a period of 15 days from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition is disposed of.

No costs.

Index : Yes /No

30.04.2024

Speaking / Non-speaking

Neutral Citation : Yes / No

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NOTE : Registry is directed to return the original documents, if any, submitted by the petitioner.



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To
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The Sub Registrar,
Office of the Sub Registrar,
Ponneri 601 204.



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N.SATHISH KUMAR, J.

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