



WEB COPY



WP.No.15474 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.15474 of 2024
and W.M.P.Nos.16817 & 16819 of 2024

M.Meena

.. Petitioner

Versus

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

2.The Sub Registrar of Triplicane
No.182, Bharathi Salai (Pycrafts Road)
Royapettah, Chennai – 600 014

3.S.Chandrika

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to the issue of the communication vide Letter No.114/24 dated 30.05.2023 issued by the Sub-Registrar of Triplicane, No.182, Bharathi Salai (Pycrafts Road), Royapettah, Chennai – 600 014, the 2nd respondent herein and quash the same.

For Petitioner : Mr.D.Ashok Kumar

For Respondents : Mr.P.Anandhakumar for R1 & R2
Government Advocate



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2. It is the grievance of the writ petitioner that the third respondent has appointed the petitioner as the power of attorney. Pursuant to the power granted to the petitioner, third party buyer has been identified, contract is entered and substantial amount has been paid to the third respondent. At this stage, third respondent is attempting to cancel the power of attorney executed in favour of the petitioner. In this regard, the petitioner has given an application and the same has been rejected by way of the impugned order.

3. The learned counsel for the petitioner submitted that since the power has acted upon, the third party also entered into contract, at this stage, the third respondent cannot cancel the power of attorney executed in favour of the petitioner.

4. Since, no adverse order is passed against the third respondent, notice to the third respondent is dispensed with. With the consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.



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5. At the outset, this Court is unable to countenance the submissions of the learned counsel for the petitioner for the simple reason that the power of attorney is only a general power of attorney, which is not coupled with any interest. Therefore, the principal has the right to revoke the power at any time. If at all any act is done in furtherance of power of attorney before cancellation, such contract can be enforced as per law.

6. Such being a position, as a matter of right, an Agent cannot restrain the Principal from cancelling the power except circumstances provided under law.

7. Such view of the matter, I do not find any merits in the case and this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

18.06.2024

dhk

Index : Yes/No

Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To

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