



WEB COPY



W.P.No.17524 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.17524 of 2024

R.Lakshmi Ramani

.. Petitioner

Vs

1.The District Registrar
Administration
Krishnagiri

2.The Sub Registrar
Adayar Sub Registrar Office
No.94, Perumal Koil Street
Kotturpuram
Chennai 600 085

3.The Sub Registrar
Rayakottai
Krishnagiri District

4.P.N.Balaji

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Na.Ka.No.9229/A1/2023 dated 21.02.2024 on the file of the 1st respondent, quash the same and direct the 2nd respondent to



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register the power of attorney deed of the petitioner viz.P-39/2023 on the file of the 2nd respondent.

For Petitioner : Mr.S.Doraiswamy
For R1 to R3 : Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

Challenging the order dated 21.02.2024 passed by the 1st respondent in Na.Ka.No.9229/A1/2023, this writ petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials placed on record.

3. When the petitioner presented the power of attorney deed for registration, the same was refused to be registered by the 2nd respondent, on the ground that O.S.No.57 of 2006 filed for specific performance in respect of the same property, was decreed. Objecting this reason, the petitioner preferred an appeal before the 1st respondent on 22.11.2023. The 1st respondent, by order dated 21.02.2024, dismissed the appeal preferred by the petitioner. Challenging the said order dated 21.02.2024, the present writ petition has been filed.

4. It is the contention of the learned counsel for the petitioner that merely



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a decree of specific performance has been passed in favour of the 4th respondent and as long as the property has not been transferred, the petitioner has every right to deal with his property. Therefore, the 2nd respondent cannot refuse to register the power of attorney deed presented by the petitioner.

5. At the outset, this Court is of the view that the above contention of the learned counsel for the petitioner cannot be countenanced, for the simple reason that the right of the 4th respondent has been crystallised in the form of a decree. If this contention is accepted, it will lead to serious consequences and also it will have an impact in making inroads on the civil rights of parties. That apart, it may also create a third party interest to defeat the right of the party, who obtained decree from a competent civil Court. Hence, I do not find any merit in this writ petition and accordingly, stands dismissed. No costs.

03.07.2024

gya

Index : Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

gya

To

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