



W.P.Nos.18657 of 2020

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 23.04.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**W.P.No.18657 of 2020  
and W.M.P.No.23148 of 2020**

P.Gunasekaran

.. Petitioner

Versus

1.Ananth  
2.Mohanraj

3.The District Registrar  
Puducherry

4.The Sub Registrar  
Thirukannur, Pondicherry

.. Respondents

Prayer:- Writ Petition is filed under the Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records of the 3<sup>rd</sup> respondent/District Registrar, Puducherry passed in Application No.2 of 2020 in Appeal No.2 of 2019 dated 06.11.2020, quash the same.

For Petitioner : Mr.R.Narayanan  
for M.V.Krishnan

For Respondents : Mr.T.M.Naveen for R1  
Mr.B.Balavijayan for R2  
Mrs.V.Usha for R3 & R4  
Additional Government Pleader



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## **ORDER**

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By consent of both parties, this writ petition is taken up for disposal.

2. Challenging the order of the District Registrar rejecting the application filed by the petitioner to reject the appeal filed by the private respondent as infructuous and relegating the parties to the civil court.

3. It is the case of the writ petitioner that he has executed a power of attorney on 01.09.2016 in favour of the 2<sup>nd</sup> respondent. Now, the petitioner has cancelled the Power of Attorney on 04.07.2012. However, even after the cancellation, it is the case of the writ petitioner that on 09.07.2018, a sale deed was presented by the power agent which was refused to be registered by the Sub-Registrar. Challenging the same, an appeal has been filed before the District Registrar. The respondents 1 and 2 have also filed a suit in O.S.No.216 of 2019 on the file of Principal District Judge, Puducherry.

4. In view of the pendency of the suit, the petitioner has filed an



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application before the District Registrar to dismiss the appeal as infructuous. However, the District Registrar passed the impugned order relegating the parties to the civil Court. Challenging the said order, the present writ petition is filed.

5. Heard both sides and perused the materials placed on record.

6. On perusal of the impugned order and considering the nature of the dispute between the parties, this Court is of the view that the impugned order does not require any interference. The issue relating to the cancellation of the general power of attorney and the sale deed executed by power agent is already seized by the Civil Court in O.S.No.216 of 2019 on the file of Principal District Judge, Puducherry, let the Civil Court decide the issue on merits.

7. Such view of the matter, the impugned order does not require interference and accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.



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8. It is also made clear that since the civil court has already seized the matter, the District Registrar relegating the parties to the Civil Court, there should not be any separate order in appeal.

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Index:Yes/No

Neutral Citation : Yes/No

dhk

To,

1.The District Registrar  
Puducherry

2.The Sub Registrar  
Thirukannur, Pondicherry



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**N.SATHISH KUMAR, J.**

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