



WEB COPY



WP.No.19065 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.19065 of 2024
and W.M.P.No.20919 of 2024

K.Shanthi

.. Petitioner

Versus

1.The District Registrar
Office of the District Registrar
Nallipalayam Post
Namakkal – 636 003

2.The Sub Registrar, Joint II
Taluk Office Campus
Namakkal – 637 001

3.R.Rani
4.N.R.Premnath

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry on the representation of the petitioner dated 19.01.2024 to cancel the registration of the unilateral Cancellation deed dated 11.08.2023 as Document No. 4010 of 2023 on the file of the 2nd respondent and pass orders to declare the deed as null and void and direct the 2nd respondent to remove the said entries in Book-1 maintained by the 2nd respondent.

For Petitioner : Mr.Ali Hassan Khan

For Respondents : Mr.M.Shahjahan for R1 & R2
Special Government Pleader



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ORDER

This writ petition is filed for a direction, directing the 1st respondent to conduct enquiry on the representation of the petitioner dated 19.01.2024 to cancel the registration of the unilateral Cancellation deed dated 11.08.2023 as Document No. 4010 of 2023 on the file of the 2nd respondent and pass orders to declare the deed as null and void and direct the 2nd respondent to remove the said entries in Book-1 maintained by the 2nd respondent.

2. It is the grievance of the writ petitioner that the petitioner is the power of attorney holder executed sale agreement with Mr.P.Santhosh Kumar. When the sale deed was about to complete, the petitioner came to know that the power of attorney executed by the respondents 3 and 4 was cancelled unilaterally. In this regard, the petitioner has given a representation on 11.08.2023 to the District Registrar to cause enquiry. According to the petitioner that the power of attorney has been cancelled without any notice to the petitioner and the cancellation is bad in law. Hence, seeks for a direction.

3.Since, no adverse order is passed against the respondents 3 and 4, notice to them is dispensed with. With the consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

4. At the outset, this Court is unable to countenance the submissions of



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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. Such cancellation cannot be gone into by the registering authorities. Therefore, giving representation to the District Registrar for passing orders about the cancellation will not serve any purpose. Further, the District Registrar has no power whatsoever to go into all those personal contract between the parties.

5. Such being a position, it is for the petitioner to work out the remedy in the appropriate manner known to law not before the District Registrar.

6. 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 petition is closed.

23.07.2024

dhk

Index : Yes/No

Neutral Citation : Yes/No

N. SATHISH KUMAR, J.



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To

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