



W.P.No.30898 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.30898 of 2024

N.Suresh Kumar

... Petitioner

VS.

1.The District Registrar,
District Registrar office,
Krishnagiri.

2.The Sub Registrar,
Sub Registrar office
Kelamangalam

3.D.V.Ramesh

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st and 2nd Respondents to cancel the G.P.A. Vide Doc. NO. as Vide Doc. No. 861/2010 SRO Kelamangalam within the time frame stipulated by this Court.

For Petitioner : DR.A.R.Shanmugam

For R1 and R2 : Mr.M.Shahjahan
Special Government Pleader



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ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents 1 and 2, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents 1 and 2 to cancel the registered General Power of Attorney registered as Document No.861/2010 on the file of the 2nd respondent.

3. The Division Bench of this Court in ***M.Kathirvel vs. The Inspector General of Registration*** (W.P.No.10291 of 2022 etc., batch, dated 02.08.2024) already struck down Section 77A of the Registration Act. Therefore, as on today, there is no enabling provision empowering the Official Respondents to cancel the registered document.

4. Therefore, the prayer sought for by the petitioner cannot be entertained. Further, the petitioner seeks cancellation of the registered Power Deed executed by him. For cancellation of Power Deed, the



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petitioner need not file a writ petition. It is open to the petitioner to cancel the Power Deed in the manner known to law.

5. With this observation, the Writ Petition stands disposed of. No costs.

23.10.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

To

1. The District Registrar,
District Registrar office,
Krishnagiri.

2. The Sub Registrar,
Sub Registrar office
Kelamangalam



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S.SOUNTHAR, J.

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