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WP.No.37837 of 2024

In the High Court of Judicature at Madras

Dated : 17.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37837 of 2024

V.Mani

Vs

...Petitioner

The Sub-Registrar, Office of the
Padappai Sub-Registrar,
K.R.Puram, Padappai,
Chennai-601301.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the written representation dated 27.11.2024 and consequently to register the General Power of Attorney Deed to be produced by the petitioner herein in respect of the properties comprised in Old Survey Nos.333, 336 & 335, New Sub Division Survey Nos.333/6B, 335/3B and 336/2, Varadharajapuram Village, Sirperumbudur Taluk, Kancheepuram District.

For Petitioner : Mr.C.Mohanraj
For Respondent : Mr.B.Vijay, AGP

ORDER



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Seeking a Mandamus to the respondent to consider the written representation of the petitioner dated 27.11.2024 and to consequently register the general power of attorney deed dated 23.8.2024 in respect of the properties in Old Survey Nos.333, 336 & 335, New Sub Division Survey Nos.333/6B, 335/3B and 336/2, Varadharajapuram Village, Sirperumbudur Taluk, Kancheepuram District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondent.

3. The facts leading to filing of this writ petition are as follows :

The said properties measuring 57,794 sq.ft. situated at Varadharajapuram Village, Kundrathur Taluk, Kanchipuram District are owned by one Mr.N.Kumar Babu, one Mr.S.Sekar and one Mrs.Geetharani by virtue of a settlement deed and two release deeds respectively. Since they are not able to maintain the said properties, they appointed the petitioner as their general power of attorney vide document dated 23.8.2024. When the said general power of attorney deed was presented before the respondent for registration, the same was not registered and is kept pending. Hence the writ petition.



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4. A perusal of the records would show that earlier, the petitioner moved W.P.No.31657 of 2024 for a similar relief. However, this Court dismissed the said writ petition by order dated 28.10.2024 since the petitioner had not applied for online token. A further direction was issued to the petitioner to apply for an online token and present the document before the respondent. Consequently, after applying for the online token, the petitioner presented the document. However, the same is kept pending without registration.

5. In the considered view of this Court, the respondent cannot keep a document pending without registration. In the instant case, the respondent has neither registered the document nor refused to register the same.

6. In the light of the above, the writ petition is allowed, the impugned order is set aside and the respondent is directed to register the general power of attorney deed dated 23.8.2024 presented by the petitioner within a period of two weeks as there is no impediment for its registration. No costs.

17.12.2024



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P.T.ASHA,J

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To
The Sub-Registrar, Office of the
Padappai Sub-Registrar,
K.R.Puram, Padappai,
Chennai-601301.

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