



W.P(MD)No.15564 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15564 of 2024

1.K.Anwar

2.Sumaiya

... Petitioners

Vs.

1.The District Registrar,
Madurai North,
Madurai.

2.The Sub-Registrar,
Chettikulam Sub-Registrar Office,
Madurai.

3.The Assistant Commissioner of Police,
Central Crime Branch,
Madurai.

4.The Sub Inspector of Police,
Central Crime Branch No.III,
Madurai.

5.A.Jeganathan

6.M.Sathya

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st and 2nd respondents to register the deed of cancellation presented by the petitioners on



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02.07.2024 to cancel the sale deed in document No.7330/2023 dated 22.11.2023 executed by the 5th respondent through the 6th respondent based on the fabricated deed of power of Attorney registered as Document No.7280/2023 dated 20.11.2023.

For Petitioners : Mr.C.M.Arumugam
For Respondent : Mr.B.Saravanan
Additional Government Pleader
for R1 & R2
: Mr.A.Albert James
Government Advocate (Crl.side) for R3 & R4

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for R1 & R2 and the learned Government Advocate for R3 & R4. Issuance of notice to R5 & R6 is dispensed with.

2. The learned counsel for the petitioner states that the sixth respondent executed a power of attorney in favour of the fifth respondent. On the strength of the power of attorney, the fifth respondent executed the sale deed dated 22.11.2023 in favour of the petitioner. Subsequently, FIR was lodged in this regard. Allegation made in the FIR is that Sathya has no title to the property. Realizing the situation, the parties now want to execute the deed of cancellation. This writ petition has been filed in anticipation of the refusal by



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the registering authority namely R2. If the executants of the sale deed as well as the petitioners are willing to execute a fresh deed of cancellation, the registering authority cannot have any objection. As and when such a document is presented, it shall be duly registered subject to fulfilment of other usual formalities.

3. The Writ Petition is allowed accordingly. No costs.

12.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

- 1.The District Registrar,
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Chettikulam Sub-Registrar Office,
Madurai.
- 3.The Assistant Commissioner of Police,
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