



W.P.(MD)No.18748 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.18748 of 2023

and

W.M.P.(MD)No.15573 of 2023

1. Usharani .V
2. Suseela.V
3. Girija.V

... Petitioners

/Vs./

1. The District Registrar (Admin.),
Registration Department,
District Registrar Office, Cantonment,
Tiruchirappalli-620001.
2. The Sub Registrar
Sub Registration Office,
Srirangam Post and Taluk,
Tiruchirappalli-620006.
3. The Idol of Arulmighu Renganatha Swamy,
Rep. by its Joint Commissioner,
Srirangam Temple,
Srirangam Post and Taluk,
Tiruchirappalli-620006.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.10795 / Aa1/2021 dated 01.06.2022 passed by the first respondent and quash the same as illegal, ultra virus ,



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without jurisdiction and by way of Mandamus directing the second respondent to register the revocation of power of attorney dated 02.08.2021.

For Petitioners : Mr.Shangar Murali

For Respondents : Mr.S.P.Maharajan

Special Government Pleader for R1 & R2
: Mr.M.Saravanan for R3

ORDER

This Writ Petition has been filed for challenging the order passed by the first respondent dated 01.06.2022, in Na.Ka.No.10795/ Aa1/2021, thereby refused to register the revocation of power deed presented for registration in respect of the property comprised in T.S.No.1304 admeasuring to an extent of 1276 sq.ft. bearing Door No.90, situated at East Adaiyavalanjan Street, Srirangam, Tiruchirappalli.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The subject property was originally purchased by one Pappammal and after her demise, it was bequeathed by her husband in



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favour of his son, who is the husband of the first petitioner, by the registered Will dated 01.10.1990, vide Document No.122/1990. Thereafter, the first petitioner's husband, viz., Vadivel deal with the property by constructing the house and thereafter, he died intestate, leaving behind his wife, who is the first petitioner herein, and daughters, who are the second and third petitioners herein, as his legal heirs to succeed his property.

4. While being so, the petitioners had executed power of attorney in favour of one P.Selvarajan to dealwith the property, vide Document No.493/Book IV/2010, dated 15.12.2010. Subsequently, they want to revoke the power of attorney and as such, they had executed revocation of power of attorney dated 02.08.2021 and presented for registration. However, on the objection raised by the third respondent, as if the subject property belongs to the third respondent vide title deed No.1027 and the second respondent refused to register the revocation of power of attorney.

5. The learned counsel for the petitioners would submit that admittedly, the subject property belongs to the third respondent and as



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such, the petitioners had executed a revocation of general power of attorney and presented for registration. Therefore, the third respondent cannot have any objection to revoke the power of attorney and not to deal with the property by the power of attorney.

6. In view of the above submission, the petitioners are directed to re-present the revocation of power of attorney document for registration and on receipt of the same, the second respondent is directed to register and release the same forthwith. The third respondent is at liberty to take appropriate action to recover the subject property from the petitioners.

7. This Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes/No
NCC : Yes / No
LS

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G.K.ILANTHIRAIYAN, J.

LS

Order made in
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