



W.P.(MD)No.15810 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.15810 of 2018

A.Maheswari

... Petitioner

Vs

1. The District Registrar,
Registration Department,
Madurai District, Madurai.

2. The Sub Registrar,
Thamaraipatti, Chittampatti,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records to impugned Check Slip No. 4/2018 dated 03.07.2018 issued by the 2nd respondent and quash the same and consequently direct the 2nd respondent to register my General Power of Attorney dated 03.07.2018 in respect of the land situated in Amoor Village, Melur Taluk, Madurai District comprising following Survey Numbers i.e., Survey No. 115/11 an extent of 0.13.5 Hectare, Survey No. 118/3 an extent of 0.16.5 Hectare, Survey No. 115/2 an extent of 0.29.0 Hectare, Survey No.174/2B an extent of 0.22.0 Hectare laying within the jurisdiction of the respondents.



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For Petitioner : Mr.V.Sukumar
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned Check Slip No. 4/2018 dated 03.07.2018 issued by the 2nd respondent and consequently to direct the 2nd respondent to register General Power of Attorney, dated 03.07.2018.

2.Heard Mr.V.Sukumar, the learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents. Perused the materials available on record.

3.When the petitioner presented the power of attorney document for registration, the same has been returned on the ground that original document is not produced. It is the contention of the learned counsel for the petitioner that original document is with her husband and due to matrimonial dispute between them, she could not produced the same. However, the impugned Check slip has already been issued by the respondents along with the power of attorney.



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4.Still, the petitioner wants to execute the document, it is for her to present the document for registration. In such a case, the original document need not be insisted, since the issue in hand is no longer res integra in view of the decision in *Federal Bank and Sub Registrar reported in [(2023) 2 CTC 289]* wherein, it is held that the registering authority cannot insist for original document.

5.With the above observations, this writ petition stands disposed of.

No costs.

08.08.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1. The District Registrar,
Registration Department,
Madurai District, Madurai..

2. The Sub Registrar,
Thamaraipatti, Chittampatti,
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N.SATHISH KUMAR, J.

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