



W.P(MD)No.25250 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.25250 of 2024

and

W.M.P.(MD)No.21442 of 2024

Veyilmuthu

... Petitioner

Vs.

1.The District Registrar,
The District Registrar's Office,
Palayamkottai, Tirunelveli District.

2.The Sub Registrar,
The Sub Registrar's Office,
Vadakarai, Gangaikondan,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal check slip dated 09.09.2024 on the file of the 2nd respondent and quash the same as illegal and consequently, to direct the 2nd respondent to register the petitioner's general power of attorney deed dated 04.09.2023 for the Patta No.531 property situated in Survey No. 329/1A1B at Chittharchathiram Village, Tirunelveli District.

For Petitioner : Mr.B.Sargunam

For Respondents : Mr.C.Satheesh,

Government Advocate



W.P(MD)No.25250 of 2024

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ORDER

By consent of both sides, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the case of the petitioner that when he presented the power of attorney dated 04.09.2023 for registration, the 2nd respondent, vide refusal check slip dated 09.09.2024, has refused to register the same on the ground that the name of the petitioner's father is not found in the patta. Challenging the same, the petitioner has filed this Writ Petition.

3.Mr.C.Satheesh, learned Government Advocate takes notice for the respondents and seeks time to file counter.

4.At the outset, this Court is of the view that when the purchaser satisfied with the title and decided to purchase the property, the registering authorities have no right to decide the issue of title and what is required is only minimum enquiry under Section 34 of the Registration Act, 1908 with regard to the identity of the person, who executed the document. In such view of the matter, the impugned order passed by the 2nd respondent stands quashed and this Writ Petition is allowed with a direction to the 2nd respondent to register the



W.P(MD)No.25250 of 2024

document presented by the petitioner within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2024

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

Yuva

To

- 1.The District Registrar,
The District Registrar's Office,
Palayamkottai, Tirunelveli District.
- 2.The Sub Registrar,
The Sub Registrar's Office,
Vadakarai, Gangaikondan,
Tirunelveli District.



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W.P(MD)No.25250 of 2024

N.SATHISH KUMAR, J

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W.P(MD)No.25250 of 2024

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