



W.P.(MD)No.29114 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.29114 of 2024

Ameed Khan

...Petitioner

-Vs-

The Sub Registrar,
Melapalayam Sub Registrar Office,
Melapalayam,
Tirunelveli District.

...Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for records relating to the impugned order passed by the Respondent in Refusal Number-RFL/Melapalayam/156/2024 dated 22.11.2024 quash the same and consequently direct the respondent to register the Power of Attorney Deed Document presented by the petitioner dated 22.11.2024 and return the same within the time fixed by this Court.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.S.P.Maharajan
Additional Government Pleader



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ORDER

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This writ petition has been filed challenging the refusal check slip issued by the respondent dated 22.11.2024, thereby refused to register the power of attorney deed document which was presented by the petitioner dated 22.11.2024 on the ground that the entire property was already sold out in favour of so many persons.

2.The property comprised in S.No.52/1B2 to an extent of western 65 cents out of 1 acre 70 cents belongs to one Ramasamy Pillai. He died on 28.06.2003 and oral partition held among the family members of Ramasamy Pillai. The said property was allotted to one R.Sankaralingam. In turn, he executed the power of attorney in favour of the petitioner and presented for registration on 22.11.2024. The petitioner claims the subject property through oral partition.

3.On perusal of the encumbrance certificate of the subject property reveals that the said Ramasamy Pillai had ten legal heirs. That apart, the land comprised in S.No.52/1B2 was already sold out in the name of Saron Nagar and had executed the sale deed in respect of house plots in favour of the several persons. Therefore, the entire extent of the property could not have been allotted



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in favour of the petitioner. Therefore, the respondent has rightly rejected the power of attorney deed which was presented for registration by the petitioner.

4.In view of the above, this Court finds no infirmity or illegality in the order passed by the respondent and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

04.12.2024

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

To

The Sub Registrar,
Melapalayam Sub Registrar Office,
Melapalayam,
Tirunelveli District.



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G.K.ILANTHIRAIYAN. J,

RJR

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