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W.P.No.11252 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No. 11252 of 2025

Dr. Bharathi Visveswaran

...Petitioner

Vs.

1. The District Collector,
O/o.The District Collector,
Chennai Collectorate,
IV Floor, M. Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai 600 001.
2. The District Registrar/
Assistant Inspector General of Registration,
Chennai-South,
Integrated Building for Offices of
The Commercial Taxes and Registrations
Department, Fanepet, Nandanam,
Chennai 600 035.
3. The Sub-Registrar,
2/71, Gajura Garden, 2nd Street,
East Coast Road,
Neelankarai, Chennai 600 041.
4. The Joint-I Sub-Registrar,
Chennai-South,
Integrated Building for Offices of



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the Commercial Taxes and Registrations
Department, Fanepet Nandanam,
Chennai 600 035.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the 1st respondent to pass appropriate order/s on the representation dated 26th July 2022 submitted by the petitioner's husband, Late Shri. R. Visveswaran and consequently direct the 3rd respondent to take appropriate action in accordance with the order to be passed by the 1st respondent, when a document relating to the said plot, viz., land measuring 7569 square feet comprised in New Survey No.74/93 [Old Survey No.74/1 (part)] of Neelankarai Village, Sholinganallur Taluk, Chennai District is presented for registration.

For Petitioner : Mr.M. Velmurugan
for R & P Partners

For Respondents : Mr. U. Baranidharan, Spl. Govt. Pleader
for R1 to R4

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying to issue Writ of Mandamus directing the 1st respondent to pass appropriate order/s on the representation dated 26th July 2022 submitted by the petitioner's husband, Late Shri. R. Visveswaran and consequently direct the 3rd respondent to take appropriate



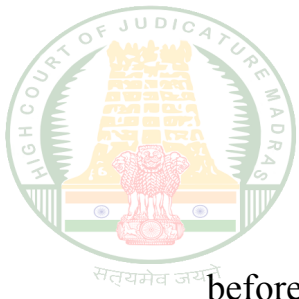
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action in accordance with the order to be passed by the 1st respondent, when a document relating to the said plot comprised in New Survey No.74/93 [Old Survey No.74/1 (part)] admeasuring 7569 square feet of Neelankarai Village, Sholinganallur Taluk, Chennai District is presented for registration.

3. Leaned counsel for the petitioner submitted that in respect of the property comprised in S.No.74/1 (part), measuring 7,569 sq.ft., Neelankarai Village, Sholinganallur Taluk belonging to her husband, he executed a General Power of Attorney dated 05.04.2022 in favour of his wife. When the Power of Attorney was presented for registration, the 4th respondent refused to register the same and issued refusal check slip on 04.06.2022 citing that there was a bar on the registration of the said property on account of its attachment in the case of disproportionate assets involving former Chief Minister. Hence, the present writ petition is filed.

4. It is further submitted by the learned counsel for the petitioner that aggrieved by the order of refusal, the petitioner's husband has preferred an appeal under Section 72(1) of the Registration Act as early as on 22.07.2022



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before the 2nd respondent and the same is yet to be disposed of by the respondents.

5. At the outset, it was submitted by the learned Special Govt. Pleader appearing for the respondent Nos.1 to 4 that the appeal dated 22.07.2022 made by petitioner's husband would be considered and orders would be passed on the same within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioner.

6. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 2nd respondent, to consider the appeal dated 22.07.2022 on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and any other interested persons/rival claimants on notice, within a period of four (4) weeks from the date of uploading of webcopy without waiting for receipt of certified copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the appeal



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and it is open to the concerned respondent to consider the appeal on its own merits and in accordance with law.

7. Accordingly, the writ petition stands disposed of. There shall be no order as to costs.

18.06.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
msr

To

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MOHAMMED SHAFFIQ, J.

msr

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